



LAKE COUNTY ENGINEER

POLICY MANUAL

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Lake County Engineer

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SECTION: 1:1
SUBJECT: INTRODUCTION

The purpose of this Personnel Policy Manual is to provide a systematic and organized approach to the establishment, implementation, and administration of the personnel policies and practices of the Lake County Engineer's Department. It is written, adopted, and interpreted exclusively by the County Engineer and is subject to modification, change, or contrary interpretation as may otherwise be specifically authorized and recognized by the laws and/or Constitutions of the State of Ohio and federal government.

This manual is intended to be used to assist and guide personnel in the day-to-day direction and performance of the general work force, the result being that a number of important and responsible goals may be achieved.

First, by implementing written personnel policies, which are applied in as consistent and impartial manner as practicable, the goal is to promote the best possible working relationships and highest morale among the employees.

Second, by providing employees with fair and equal opportunities in their recruitment and advancement, by evaluating their services on the basis of merit and fitness, and by giving consideration to their needs and desires, the goal is to provide an employment atmosphere which increases the cooperation and productivity of the employees together with the prospects for career opportunities within Lake County.

Third, by providing dependable and courteous services to the residents of the County, the goal is to enhance the reputation and stature of the County Engineer's Department within the community.

By attaining these goals, services of the County Engineer's Department, which are essential to the health, safety and welfare of the citizens of Lake County are enhanced. Therefore, it is the responsibility of all employees, as a condition of their employment, to abide by these policies and procedures. It is further the responsibility of each supervisor to properly and consistently administer these policies and procedures. Any further questions relating to the purpose, goals and/or interpretation of the policies contained herein should be directed to the County Engineer or his designee.

SECTION: 1:2
SUBJECT: APPLICABILITY

The provisions of this policy manual are applicable to all employees of the Lake County Engineer.

As pertains to all employees, it is the intent of this manual to comply with all applicable civil service laws and regulations which the Engineer is required to follow. Where there may be a conflict between the Ohio Revised Code and this manual, the statute shall prevail.

SECTION: 1:3
SUBJECT: POLICY MANUAL ADMINISTRATION

In order to effectively implement this policy manual and oversee its administration on a day-to-day basis, the following procedures will be taken.

First, a copy of this manual will be given to all current employees of the Lake County Engineer prior to the effective date and, to all newly hired employees subsequent to its adoption.

Second, as legal requirements, public services and other conditions shift within the organization, it may be necessary to add, delete, or modify specific policies affected by such change. Only the County Engineer has the authority to make revisions or interpretation of policies contained herein. Copies of said revisions shall be provided to all employees with seven (7) calendar days advance notice prior to the effective date where practicable.

Third, employees are encouraged to make suggestions for improvements in personnel policies and practices. Suggestions should be directed to the County Engineer in writing together with an explanation as to how such a change could benefit the Department and/or public.

SECTION: 1:4
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

A commitment to equal employment opportunities as prescribed by the laws and Constitutions of the State of Ohio and federal government is reaffirmed herein.

Therefore, all personnel decisions and/or practices, including but not limited to, hirings, suspensions, terminations, layoffs, demotions, transfers and evaluations shall be made without regard to race, color, religion, gender, national origin, disability, age, genetic information, military status, or other unlawful bias. All applicants for employment and all employees of the Lake County Engineer's Department shall be treated fairly and equitably based upon their respective merit, fitness, and bona fide occupational qualifications.

SECTION: 1:5
SUBJECT: SEVERABILITY/SAVINGS CLAUSE

The policies set forth and adopted within this manual supersede any and all previous written and unwritten policies, practices and understandings of the Lake County Engineer's Department covering the same subject matters addressed herein.

In the event that any section or sub-section(s) of this manual or amendment or revision thereto is held to be unenforceable, invalid, contrary to law, or otherwise restrained from its full force and effect by a court or other tribunal of competent jurisdiction, the remaining section(s) or sub-section(s) of the manual, to the extent that they remain unaffected by such declaration or restraint, shall continue in full force and effect.

The County Engineer reserves the right to effectuate a lawful alternative to any section or part thereof declared unenforceable, invalid, or contrary to law. Questions regarding the interpretation and application of these policies should be directed to the County Engineer through the immediate supervisor.

SECTION: 1:6
SUBJECT: DISCLAIMER

The policies and procedures established and set forth in this policy manual provide guidelines for the County Engineer, Supervisors, and employees during the course of their employment with the Lake County Engineer's Department. However, nothing herein is intended to, nor shall

it be construed or interpreted, so as to create contractual or vested rights for employees regarding employment benefits, policies, procedures or any other provisions of this manual other than those rights created through a collective bargaining agreement, if lawfully negotiated, or applicable state and federal law.

SECTION: 1:7

SUBJECT: AMERICANS WITH DISABILITIES ACT REQUIREMENTS AND COMPLIANCE

The Lake County Engineer has designated an individual to coordinate its efforts to comply with and carry out its responsibilities under the Americans with Disabilities Act (ADA), including the investigation of ADA complaints. The ADA prohibits discrimination, in terms of hire, promotion, transfer, or any other benefits and privileges of employment, of any qualified individual with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the position such individual holds or desires, and with or without reasonable accommodation, can perform the essential functions of the position.

Any individual who believes he/she is subject to unlawful discrimination based upon disability may submit a complaint to the designated ADA Coordinator. A record of the complaint and action taken will be maintained. An investigation will be conducted and a decision will be rendered by the ADA Coordinator or designated individual within fifteen (15) working days or as soon as possible thereafter.

If the individual is not satisfied with the decision of the ADA Coordinator or designee, he/she may appeal such decision to the County Engineer who shall consider the appeal of the employee or designate an individual to conduct a further review and investigation of the initial decision. The decision of the County Engineer or designee is final. However, nothing herein shall preclude an individual from filing a complaint with the U.S. Department of Justice or any other federal or state agency. Furthermore, the use of this administrative procedure is not a prerequisite to the pursuit of other remedies.

SECTION: 2:1
SUBJECT: MANAGEMENT RIGHTS

The Lake County Engineer maintains all rights which are afforded to him by virtue of his capacity and authority under the Ohio Revised Code. This policy manual does not delegate, surrender, or abridge any of his statutory rights. Nothing herein shall be construed to restrict any constitutional, statutory, legal, or inherent exclusive appointing authority rights with respect to matters of general legislative or managerial policy. The Engineer shall retain the right and the authority whether exercised or not to administer the business of his departments, and in addition to other functions and responsibilities which are not specifically modified by this manual, it shall be recognized that the Engineer has and will retain the full right and responsibility to direct the operations of his departments, to promulgate rules and regulations and to otherwise exercise the prerogatives of management, and more particularly, including but not limited to, the following:

- A. To manage and direct his employees, including the right to select, hire, promote, transfer, assign, evaluate, layoff, recall, reprimand, suspend, discipline, demote, discharge and to maintain discipline among employees;
- B. To manage and determine the location, type and number of physical facilities, equipment, programs, and the work to be performed;
- C. To determine the department's goals, objectives, programs, and services and to utilize personnel in a manner designed to effectively and efficiently meet these purposes;
- D. To determine the size and composition of the work forces, staffing patterns, and each department's organizational structure, including the right to lay-off employees from duty due to lack of work, austerity programs, or other legitimate reasons or to abolish positions or classifications;
- E. To determine the hours of work, work schedules and to establish the necessary work rules, policies and procedures for all employees;
- F. To determine when a job vacancy exists, the duties to be included in all job classifications, and the standards of quality and performance to be maintained;
- G. To determine the necessity to schedule overtime and the amount required thereof;
- H. To determine the department's budget and uses thereof;
- I. To determine the security records and other pertinent information;
- J. To determine and implement necessary actions in emergency situations;
- K. To maintain the efficiency of operations, including the right to contract out work;
- L. To exercise complete control and discretion over department organization and the technology of performing the work required;
- M. To set standards of service and determine the procedures and standards of selection for employment.

SECTION: 2:2 (A)
SUBJECT: VACANCIES AND APPOINTMENTS

In the event the County Engineer determines that a vacancy exists, a notice of such position opening shall be conspicuously posted for a period of at least seven (7) consecutive calendar days. The notice shall include the date of posting as well as the date the notice expires, the classification title, rate of pay, department and area of vacancy, and a brief position description. Insofar as practicable, such position, if other than entry level, shall be filled by the promotion of an existing employee. In the event that no applications are received or there is no employee/applicant with the requisite qualifications for the position, a suitable candidate will be recruited from the general public. The County Engineer will make reasonable accommodation for any qualified applicant for employment with a known disability to ensure equal opportunity and consideration in the application process. If two (2) or more employees apply for the same position and the County Engineer finds that the qualifications are substantially equal for the job, seniority shall prevail with the most senior employee being awarded the appointment.

Any person interested in applying for a position vacancy must complete a written application as to skills, abilities, knowledge, experience and other relevant information, and which must be given to the Administrator or his or her designated representative by the close of business on the last day of posting.

Any employee may apply for a posted position vacancy provided he or she possesses the requisite minimum qualifications, is not under disciplinary action, and is not serving a probation period. Criteria used in evaluating an applicant's qualifications may include such considerations as past performance evaluations, aptitude, attendance records, education, training, prior work experience history, physical and mental fitness for the position, length of service with the Lake County Engineer's Department, and other relevant factors.

The County Engineer retains the sole right to determine the qualifications desired for a particular vacancy; to determine the weight attributed to each employment criteria; and to evaluate the relative qualifications of applicants. The Engineer further reserves the right not to fill or re-post a vacancy if he determines that no applicant possesses the desired qualifications.

Because unclassified positions are not subject to civil service procedures and such employees serve at the pleasure of the employer, the Engineer may choose to fill vacancies in such positions without posting under this section.

SECTION: 2:2 (B)
SUBJECT: TRANSFER PROCEDURE

1. Definition

- A. A transfer is a lateral move to a position in the same classified pay range (classified position) or to a position with comparable duties and responsibilities (unclassified positions).
- B. A transfer may be required for the effectiveness and efficiency of the operation of the agency or when an employee wishes to be considered for a vacant position in the same classification.

- C. An employee who is transferred to a comparable position will continue to receive his/her existing rate of pay.

2. Eligibility

- A. Employee Request for Transfer Forms may be submitted at any time and are available to current Lake County Engineer employees occupying permanent positions.
- B. Employees under disciplinary action or serving a probationary period are not eligible for merit increases, promotions or transfers.

3. Procedures

- A. An employee applies for a posted vacancy by completing an Employee Request for Transfer Form [FORM D] and submitting the form to their immediate supervisor.
- B. The form is submitted to the Administrator who reviews the employee applicant's qualifications for the vacancy and refers qualified employee applicants, along with all other qualified applicants, to the appropriate supervisor for consideration.
- C. If necessary, the Administrator will arrange an interview between the appropriate supervisor and applicant(s) to review job duties and performance expectations.
- D. Transfers must be approved by the County Engineer or Chief Deputy Engineer. If the employee applicant is selected to fill the vacancy, the Administrator will first inform the appropriate supervisors, prior to making an official offer to the employee.
- E. The appropriate supervisors and Administrator will jointly establish an effective date for the transfer with the following guidelines:
 - 1. The effective date will be the first day of a biweekly pay period.
 - 2. The effective date will be within thirty (30) calendar days of the transfer approval.
- F. The Administrator will review all forms for accuracy and completeness.

SECTION: 2.3

SUBJECT: PREREQUISITES FOR EMPLOYMENT AND FITNESS FOR DUTY

An applicant for employment must accurately and correctly complete an employment application and a declaration that all information provided is truthful. Falsification or any statements by the applicant shall be cause for denial of employment or termination from employment if discovered after the applicant has been hired. Evidence of immoral character, conviction of a felony, or other unsavory conduct unbecoming a public servant of Lake County or posing a threat to the legitimate business concerns of the County Engineer shall also be cause for denial of or termination from employment; however, prior criminal conviction(s) shall not be an automatic bar to employment.

Prior to actual employment, a newly hired employee who has been extended a conditional offer of employment may be required to undergo a medical examination, including drug testing, at the employer's expense in order to insure that he or she is capable of performing the duties and responsibilities of the position to be assumed. The Engineer shall make reasonable accommodations to the known physical or mental limitations of a qualified applicant or employee with a disability unless such accommodation would impose an undue hardship on the operations of the department. Reasonable accommodation may include job restructuring, acquisition or modification of equipment or facilities, reassignment to a vacant position, or other adjustment to a job, employment practice, or work environment that makes it possible for an individual with a disability to enjoy an equal opportunity in the application process and employment. Health and medical conditions shall only be a bar to employment if the employee or applicant's condition is still such that after making reasonable accommodations he/she could not perform the essential functions of the job. In addition, the County Engineer, at his own expense, may require an employee at any time to take a medical examination conducted by a licensed physician to be selected by the County Engineer if he or she has reason to believe the employee is no longer capable of performing the duties and responsibilities of his or her position.

In addition to a medical examination, an employee who has been extended a conditional offer of employment may be required in certain classifications to demonstrate his or her knowledge or perform certain tests of skill in order to further ascertain the prospective employee's fitness for the position. In the event that a position requires educational degrees, licensure or other certification, the applicant must furnish certified copies of such document(s) to the County Engineer which must be appropriately maintained in good standing if the applicant is subsequently hired.

SECTION: 2:4
SUBJECT: SENIORITY

For all purposes seniority shall be defined as the uninterrupted length of continuous service with the Lake County Engineer's Department. An authorized leave of absence does not constitute a break in service and seniority continues to accumulate.

If an employee is terminated from employment for any reason other than layoff, a break in service and seniority occurs. An employee who is reinstated within one (1) year of the date of a layoff retains previously accumulated seniority but receives no seniority credit for time spent while on layoff.

Seniority for the purposes of vacation is calculated according to the number of years of service with the County or any political subdivision of the State of Ohio. The service need not be continuous.

SECTION: 2:5
SUBJECT: HOURS OF WORK

The sole purpose of this policy is to provide a basis for the computation of straight time, overtime and compensatory time for eligible employees. Nothing contained in this policy shall be construed as a guarantee or commitment by the Engineer to any employee of a minimum or maximum number of hours per day, per week or per year. The Engineer's pay records, practices and procedures shall govern the payment of all wages.

The workweek shall consist of seven (7) days beginning immediately after 12:01 a.m. on Monday and ending at 12:00 midnight the following Sunday.
The regular workweek for all employees shall consist of forty (40) hours of work within the workweek.

A workday is a period of twenty-four hour (24) consecutive hours beginning at the start of a calendar day (12:01 a.m.) and ending at midnight.

A regular workday shall consist of eight (8) hours of actual work exclusive of meal periods in a workday unless otherwise scheduled by the Engineer or his designee.

Only the County Engineer reserves the right to determine the starting and quitting times of all employees and to determine work week schedules and shifts for employees.

Employees shall not be compensated for work performed prior to, during a lunch period or outside their regularly scheduled work day hours unless authorized in advance to do so by their supervisor or in emergency situations.

During specific periods in a calendar year, the County Engineer may alter the Department's hours of operation. For example, during the "summer months," as determined by the County Engineer, the following mandatory work schedule for forty (40) hour per week employees may be implemented:

Maintenance Employees	Monday – Thursday 6:00 a.m. – 4:00 p.m.
Administrative Employees	Monday – Thursday 7:30 a.m. – 4:30 p.m.
	Friday 7:30 a.m. – 1:00 p.m. (No Lunch)

There shall be one (1) thirty (30) minute meal period during the course of a regular workday and shall be taken at the midpoint of the employee's workday and as otherwise approved by the supervisor. The workday and lunch period of all employees shall be established by the Engineer who may so designate as practiced by other similarly situated County employees or based upon operational needs.

Compensation shall not be paid more than once for the same hours under any provision of this policy manual (no pyramiding).

SECTION: 2:6
SUBJECT: WORK ASSIGNMENTS

Employees shall be expected to fully, dutifully and conscientiously perform those tasks as assigned to them by the County Engineer, supervisors or his or her designated representative(s). Employees required to work in a lower classification shall not be reduced in pay. Employees required to work in a higher classification shall be paid at the higher rate provided the employee works in the higher classification for four (4) hours or more. The County Engineer and/or Supervisors shall have exclusive control of assigning and allocating work assignments, work

crews, trucks and equipment. No employee can refuse a job assignment unless performing the assignment would place the employee and/or others in an imminent life-threatening situation.

The Engineer further reserves the right to hire and assign work to students, temporary, casual, intermittent, and/or seasonal employees.

SECTION: 2:7
SUBJECT: OVERTIME

As a condition of employment, certain job classifications require mandatory overtime while other job classifications may require the Engineer to request that employees perform overtime based on operational needs. Overtime pay shall be paid to non-exempt hourly employees for time approved and worked in excess of forty (40) hours in a work week and at a rate of one and one-half (1 1/2) times the employee's base rate of pay. Overtime eligible employees have the right to elect compensatory time as set forth in Section 4:16, Compensatory Time. An overtime eligible employee may accrue up to a maximum of forty (40) hours of compensatory time. Employees exempt from the overtime provisions of the Fair Labor Standards Act are not eligible for overtime pay but may receive compensatory time on an hour-for-hour basis as set forth in Section 4:16, Compensatory Time. An overtime exempt employee may accrue up to a maximum of sixty (60) hours of compensatory time.

For the purposes of overtime calculation for overtime eligible employees, all of the following leave must be "pre-approved" (twenty-four [24] hour written notice): medical, vacation, compensatory time, and personal days. Paid leave not pre-approved will not be included for the calculation of overtime compensation. Paid "administrative" time will not be considered as "hours worked" for the purpose of calculating overtime.

When a work assignment continues into overtime, it is understood that the employee will follow through on the overtime. When overtime is scheduled or unscheduled, attendance and punctuality policies will prevail. Employees who refuse overtime may be considered insubordinate and subject to disciplinary action if their refusal was not justified.

The County Engineer will attempt to distribute overtime as equally as practicable among qualified available employees within those classifications in which overtime is required.

SECTION: 2:8
SUBJECT: EMPLOYEE ACCIDENTS

In the event that an employee is injured and/or involved in any accident, regardless of how minor, while performing job-related duties and responsibilities, he or she shall be expected to immediately report such injury and/or accident to an appropriate supervisor. Upon reporting the accident the employee will be required to fill out the proper accident reporting form(s) so that the accident can be reported to the County Commissioners and to the County's insurance carrier. The employee's supervisor shall conduct an investigation as to the cause of the accident. Depending upon the results of the investigation, the employee may be counseled and trained to prevent further accidents.

If an employee so injured is physically unable to complete the balance of the workday, he or she shall be placed either on sick leave or unpaid leave of absence for the remainder of that day. Further absence may require the employee to use accumulated sick leave and/or apply for benefits pursuant to workers' compensation.

An employee, who willfully or through negligence is involved in or has caused an accident, shall be subject to disciplinary action, which may include dismissal.

SECTION: 2:9
SUBJECT: CLASSIFICATION PLAN

A classification plan based upon the essential functions, duties, and responsibilities of positions shall be maintained by the County Engineer. The plan shall include class specifications consisting of a classification title, nature of work, essential functions, minimum qualifications, and other related characteristics.

The County Engineer shall, as needed, review the duties and responsibilities of positions and make necessary adjustments or revisions to the classification plan.

SECTION: 2:10
SUBJECT: LAYOFF AND RECALL

In the event that the County Engineer must reduce his classified staff due to lack of work, lack of funds, or job abolishment for purposes of economy and/or efficiency, such layoff shall be conducted in accordance with Sections 124.321 through 124.328 of the Ohio Revised Code which provide for procedures for determining the order of layoff and employee displacement, appeal, and reinstatement rights.

SECTION: 2:11
SUBJECT: TRAVEL POLICY

Travel time shall be compensable in accordance with the Fair Labor Standards Act, all applicable Code of Federal Regulations, and the policy herein.

A. Job-Related or Required Programs

Attendance at lectures, meetings, training, and other similar activities constitute "hours worked" if the training is meant to increase the employee's efficiency or is otherwise required by the Engineer.

Reimbursable Expenses:

1. Mileage

An employee required to drive a personal vehicle to a work-related or required program shall be compensated in accordance with the policy established by the Lake County Board of Commissioners.

2. Parking/Tolls

Reasonable parking and/or toll fees incurred by an employee attending a work-related or required program are reimbursable.

3. Meals

Employees are entitled to a maximum of thirty-five dollars (\$35.00) per diem while attending work-related or required programs. Such amount shall be considered as a taxable exempt reimbursement if such expense occurs as the result of an overnight business-related program. No reimbursements will be

made when these programs do not result in an overnight stay as they are considered a taxable fringe benefit, in accordance with the applicable IRS regulations.

4. Registration

Registration fees may be paid in advance by the employee and reimbursed or invoiced directly to the Lake County Engineer's Office.

5. Lodging

Reasonable overnight accommodation expenses will be reimbursed by the Lake County Engineer's Office.

6. Airline Tickets

Coach class airline tickets necessary to attend a work-related or required program will be reimbursed.

B. Voluntary Programs

Voluntary programs include lectures, meetings, training, and other similar activities that are attended by an employee outside of normal work hours, at the employee's cost, without Employer approval or authorization, and not related to the employee's essential job functions. An employee who attends such voluntary programs shall not be compensated for such time.

SECTION: 2:12

SUBJECT: GARNISHMENTS

Employees of the County Engineer are expected to use due diligence in the handling of their personal financial affairs. Under appropriate court order, however, the County Engineer may be required to garnish an employee's wages if so directed and upon receipt of a garnishment order.

SECTION: 2:13

SUBJECT: PERSONNEL RECORDS

Personnel records shall be maintained on all employees by the County Engineer. Such records shall include, but may not be limited to information such as applications for employment; letters of reference; payroll information; performance evaluations; disciplinary actions or letters of commendation; records of leave usage; and miscellaneous personnel forms and records. Under the current state of Ohio public records law, the Engineer cannot assure confidentiality of these records, which are considered "public records" with few exceptions, as defined in Section 149.43 of the Ohio Revised Code.

Any employee may examine his or her personnel file by making reasonable advance request to the County Engineer, generally at least twenty-four (24) hours. Such examination shall be made at a mutually agreeable time. An employee, who alters, adds or removes documents or information from his or her personnel file without prior approval may be subject to discipline. Confidential information as defined in Section 149.43 of the Ohio Revised Code shall not be released from an employee's personnel file unless specifically authorized by such employee in writing.

Employees must notify the Administrator in writing within ten (10) days of any change in name, address, home telephone number, marital status, citizenship, tax exemptions, affiliation with any branch of the armed forces, or loss of licensure or insurability.

SECTION: 2:14

SUBJECT: CONFIDENTIALITY AND LIMITATIONS ON USE OF MEDICAL INFORMATION

The Americans with Disabilities Act imposes strict limitations on the use of medical examinations and inquiries of employees. The Engineer shall comply with the ADA's confidentiality and all other federal and state laws maintaining confidentiality of medical information. All medical information obtained from medical examinations and inquiries shall be collected and maintained on separate forms, in separate medical files and shall further be treated as a confidential medical record. Medical-related material shall not be placed in an employee's personnel file. The Engineer shall also take steps to guarantee the security of the employee's medical information, including:

- A. Keeping the information in a medical file in a separate, locked cabinet, apart from the location of personnel files; and
- B. Designating a specific person or persons to have access to the medical file. All medical-related information shall be kept confidential, with the following exceptions:
 - 1. Supervisors and managers may be informed about necessary restrictions on the work or duties of an employee and necessary accommodations.
 - 2. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment or if any specific procedures are needed in the case of fire or other evacuations.
 - 3. Government officials investigating compliance with the ADA and other federal and state laws prohibiting discrimination on the basis of disability or handicap shall be provided relevant information on request. (Other federal laws and regulations also may require disclosure of relevant medical information.)
 - 4. Relevant information may be provided to state workers' compensation offices in accordance with state workers' compensation laws.
 - 5. Relevant information may be provided to insurance companies where the company requires a medical examination to provide health or life insurance for employees.

SECTION: 2:15

SUBJECT: TRAINING

The following policy provides an outline for determining the appropriateness of training requests made by employees. Should you have any questions regarding the applicability of this policy to a particular training request, please contact the Engineer or Chief Deputy Engineer.

A. Job Related Training

Any employee who desires to attend a job-related course, school, or training may request to attend such course, school, or training provided sufficient funds are available. Such request should be made at least one (1) month prior to the commencement of such course, school, or training.

Attendance at a job-related course, school, or training shall be at the discretion of the Employer. If more than one (1) employee requests to attend the same course, school, or training, the Engineer or Chief Deputy Engineer may utilize seniority in selecting the employee(s) who may attend.

The Employer will reimburse employees for approved expenses incurred pursuant to the policies contained herein only if the employee attends the course, school, or training, successfully completes the course, school, or training by obtaining a passing grade of seventy percent (70%) or better (if applicable), and obtains the license(s) or certificate(s) which the course, school, or training provides (if applicable).

Employees attending approved job-related courses, schools, or training during their regular working hours shall not suffer any loss in regular hourly wages and benefits.

B. Cross-Training

Cross-training of employees in different classifications is encouraged by the Engineer; however, the following guidelines shall be followed in determining the appropriateness of any cross-training assignment:

1. Generally, cross-training shall be for the purpose of advancing an employee's career (promotion) within the Lake County Engineer's Office;
2. Each request for cross-training shall be submitted to the employee's supervisor.
3. The determination as to whether cross-training is approved shall be on an individual basis and subject to the discretion of an employee's supervisor.
4. No cross-training assignment shall be approved if it creates additional work for any employee within the Lake County Engineer's Office.

SECTION: 2:16
SUBJECT: PERFORMANCE EVALUATION

All employees who are not serving an initial probationary period shall have their performance reviewed annually or within the timeframe established by the County Engineer.

The evaluation is intended: to be a fair assessment of an employee's actual performance during the review period; to inform the employee of strengths, weaknesses, and progress; to improve performance and productivity; to provide a better understanding of performance expectations and goals of an employee; and to recognize accomplishments and good work.

SECTION: 3:1
SUBJECT: PROBATIONARY PERIOD

Newly hired or newly promoted employees shall be required to successfully complete a one hundred and eighty (180) calendar day probationary period.

The probationary period allows the management to closely observe and evaluate their fitness and suitability for the positions to which they have been appointed. Only those employees who demonstrate an acceptable standard of conduct and performance during this period shall be retained in their positions. If, at any time during the probationary period, a newly hired employee's service is determined to be such that it does not merit further employment, he or she may be terminated in accordance with Ohio Revised Code 124.27 and there shall be no appeal rights to the State Personnel Board of Review.

The probationary period for regularly scheduled part-time employees shall be determined by calendar days from the date of original appointment; however, employees working irregular schedules and intermittent employees shall have their one hundred and eighty (180) day probationary periods based upon the completion of one thousand (1,000) hours in active pay status.

The failure of an employee to complete a promotional probationary period due to unsatisfactory performance shall result in the returning of the employee to his or her same or similar position prior to the promotion at the former rate of pay.

The probationary periods set forth in this section for full-time or part-time employees may be extended upon mutual agreement between the employee and the Engineer and with the approval of the Director of Administrative Services.

Employees serving a probationary period are not eligible for merit increases, promotions or transfers.

SECTION: 3:2
SUBJECT: PUBLIC EMPLOYEE ETHICS/CONFLICT OF INTEREST

In order to maintain the integrity of the Lake County Engineer's Department as well as the public confidence, it is essential that employees of the Department not use their positions for personal gain. In order to achieve this goal, all employees must act in an ethical manner and avoid conflicts of interest.

No employee shall use his or her official position for personal gain, participate directly or indirectly in any activity which is in conflict with his or her official duties, or disclose confidential information regarding the business of the County Engineer to any private concern for his or her personal benefit.

No employee shall have an interest in or be employed by any private interest with which this office does business or act as an agent for or render services on behalf of any private interest where such activities would be incompatible with the duties and responsibilities of such employee or the County Engineer.

Any employee found to be in violation of this section shall be subject to possible disciplinary actions up to, and including, termination. Any employee who has a question as to whether or

not his or her actions or activities are in violation of this section should direct such inquiry to the County Engineer.

SECTION: 3:3
SUBJECT: ABSENTEEISM AND TARDINESS

Employees who are unable to report for a regularly assigned workday shall be required to notify their Supervisor or other designated representative of the County Engineer of such absence and the reason(s) thereof at last one-half (1/2) hour prior to the start of their workday unless extenuating circumstances exist in which case the employee shall notify their supervisor as soon as possible. Employees who do not properly give notice of or document their absence, or who are habitually tardy, absent without leave, are using sick leave for improper reasons, or who use excessive amounts of sick leave or develop a pattern of use, shall be subject to disciplinary action and shall not be paid. The Engineer reserves the right to control employee attendance and absenteeism. An employee who demonstrates poor attendance or who is excessively absent may be required to submit a certificate from a licensed physician stating the nature of illness or injury on each occasion he/she reports off sick. In addition, the Engineer may initiate investigations when an employee is suspected of abusing sick leave.

If an employee is absent without leave or notification to the Engineer/designee for three (3) or more successive work days, he or she may be deemed by the County Engineer to have abandoned his or her position and shall be subject to possible disciplinary action up to and including termination from employment.

A request for leave form and any required documentation must be fully and properly completed by the employee immediately upon returning to work which shall then be submitted to the County Engineer or designee for approval or disapproval. No employee shall be paid until a proper request form is completed and submitted to the appropriate person, including any required documentation. Application for sick leave with intent to defraud may result in dismissal and refund of salary or wage paid.

Employees are expected to be at their work place with sufficient time to perform the duties of their position at the scheduled starting time. Exceptions include pre-approved schedule changes or other work-related obligations.

In all situations, employees are expected to notify their immediate supervisor, as applicable, if the employee is going to be late to work. Employees are expected to provide a truthful and forthcoming reason why the employee will not be reporting to work as scheduled.

The Lake County Engineer has the right to investigate to determine why an employee reported to work late or not at all.

A. Tardiness

Tardiness is defined as arriving at work after your scheduled start time, clocking in after your scheduled start time, failing to punch in/out, returning late from breaks/meals, or early departure from work.

1. Occurrence

Any tardiness (regardless of whether it is at the beginning of the scheduled work day, upon return from a break, or an early departure) is considered a separate occurrence.

- a. The time period used for reviewing tardiness is a “rolling” four (4) month period. This is determined by measuring backward four (4) months from the employee’s most recent occurrence.
- b. Any occurrence of unauthorized tardiness shall be documented by the employee’s supervisor and will result in the administration of corrective action or discipline as outlined in the “Corrective Action for Tardiness” section that follows.
- c. Each occurrence of tardiness shall be documented by the employee’s supervisor and will result in the administration of corrective action or discipline as outlined in the “Corrective Action for Tardiness” section that follows.

2. Corrective Action for Tardiness:

Step	Infraction	Discipline
1	Second occurrence in a four (4) month period	Pay for the day reduced by one half (½) hour, plus “no pay” for time tardy (in ½ hour increments).
2	Additional occurrence in a four (4) month period	Pay for the day reduced by one (1) hour, plus “no pay” for time tardy (in ½ hour increments).
3	Additional occurrence in a four (4) month period	One (1) day suspension without pay.
4	Additional occurrence in a four (4) month period	Three (3) day suspension without pay.
5	Additional occurrence in a four (4) month period	Ten (10) day suspension without pay.
6	Additional occurrence in a four (4) month period	Termination.

SECTION: 3:4

SUBJECT: PAYROLL RECORDS (TIME CARDS AND TIME SHEETS)

To ensure compliance with federal laws, the Lake County Engineer maintains accurate records of employees’ hours with time sheets (administrative employees) and time cards (maintenance employees).

Employees should be aware that they are responsible for accurately completing/clocking their time sheet/time card to reflect all hours worked and any absences from work.

Maintenance Employees must clock in prior to the start of their work shift and be ready to begin work at their work assignment at the starting time of the shift. Employees must clock out at the end of their work shift.

Maintenance Employees who leave during their shift for approved leave and then return to work must clock out when they leave and clock in again upon return to work.

Failure to properly clock in and out will be considered an occurrence as defined in Section 3:3 of this manual.

No employee may possess or clock the time card of another employee. Such action(s) will be considered tampering or falsifying a record kept by a local governmental entity, a felony of the third degree.

SECTION: 3:5
SUBJECT: OUTSIDE EMPLOYMENT

No employee shall have other outside employment which conflicts with such employee's ability to properly and efficiently perform his or her duties and responsibilities in accordance with the policies and operational objectives of the County Engineer. In addition, full-time employees of the County Engineer are required to consider such employment to be their "primary" occupation which shall take precedence over any other outside employment which such employees may have. Employees shall not use County owned equipment for employment outside of Lake County employment purposes.

When an employee's supervisor has reason to believe that outside employment is adversely affecting an employee's job performance (e.g. availability, absenteeism, loss of productivity, refusal of mandatory overtime, etc.) the employee will be counseled. If the situation is not resolved, appropriate progressive disciplinary action will result.

SECTION: 3:6
SUBJECT: DISCIPLINARY PROCEDURE

Pursuant to Section 124.34 of the Ohio Revised Code, grounds for disciplinary action such as reduction in pay or position, fines, suspension, or removal include the following: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, misfeasance, malfeasance, nonfeasance, other failure of good behavior, including but not limited to the abuse of controlled substances (i.e., drugs), or conviction of a felony. Employees under disciplinary action are not eligible for merit increases, promotions or transfers.

In the event that disciplinary action must be taken against a classified employee, it will be for just cause in an attempt to correct an employee's behavior, except in those cases of serious misconduct where an employee may be subject to suspension, fine, reduction, or removal from employment for a first offense. Discipline may include one or more verbal warnings, written reprimands, and suspension without pay, fines and demotions in pay and/or position prior to final discharge. In determining the appropriate level of discipline, the following will be taken into account: the nature and seriousness of offense or violation; the employee's prior disciplinary record; and the employee's prior record of performance and conduct.

Discipline will normally be applied in a progressive manner except in those cases where the County Engineer deems the matter serious enough to warrant a higher degree of discipline, including but not limited to, acts of workplace violence, theft, dishonesty, sexual harassment, etc.

In cases of possible suspension without pay, fines, reduction in pay or position, or termination, a classified employee, who has completed his or her probationary period and who, thus, has tenure rights in employment shall be afforded the opportunity to present evidence and witnesses on his or her behalf prior to disciplinary action and may be represented by another employee if so requested.

During the investigation of any potential disciplinary action or complaint, employees and/or witnesses are expected to cooperate fully, truthfully and provide assistance. This includes, but is

not limited to, activities such as providing written statements, cooperating fully and truthfully in interviews, and to answer any and all questions related to the investigation.

A copy of any written corrective counseling or disciplinary action shall be given to the affected employee and shall also be placed in the affected employee's personnel file. Such disciplinary action shall cease to have force and effect and will not be considered in future progressive disciplinary action for twelve (12) months for corrective counseling/verbal and written reprimands, thirty-six (36) months for short-term suspensions (up to three (3) day suspension), and sixty (60) months for long-term suspensions (more than three (3) days) after its effective date, if the affected employee has not received any intervening discipline during that time frame.

Classified employees may appeal suspensions and fines of more than three (3) working days, reductions in pay or position, or terminations to the State Personnel Board of Review (S.P.B.R.) within ten (10) days of receipt of the order by the affected employee or S.P.B.R., whichever is later (See Section 124.34 of the Ohio Revised Code). Disciplinary actions, including fines, against classified employees which are not under the jurisdiction of the S.P.B.R. may be appealed directly to the County Engineer within ten (10) days of its receipt by the affected employee. Disciplinary action imposed based on a conviction of a felony within the meaning of ORC 124.34 may not be appealed to the SPBR.

Unclassified employees serve at the pleasure of the County Engineer and do not have the right to file disciplinary appeals through the S.P.B.R.

The Engineer may place an employee on administrative leave with pay, but only in circumstances where the health and safety of an employee or of any person or property entrusted to the employee's care could be adversely affected. The length of the leave shall not exceed the length of the situation for which the leave is granted. For example, in a disciplinary situation, such leave might extend until the Engineer completes the pre-disciplinary process and take action or decides no action is warranted. Compensation for administrative leave shall be equal to the employee's base rate of pay.

Effective July 1, 2007, an employee may be placed on unpaid administrative leave in the event the individual is charged with a felony. If the employee is not found guilty, all time lost must be paid, with interest.

SECTION: 3:7
SUBJECT: ADMINISTRATIVE COMPLAINT PROCEDURE

Employees are encouraged to informally discuss and attempt to resolve any workplace problems or allegations of misinterpretations/misapplication of specific policy provisions with their immediate supervisor. In the event any dispute cannot be satisfactorily resolved informally, the employee may pursue such complaint by presenting the complaint to the Deputy County Engineer within ten (10) working days after the event giving rise to the dispute. The Deputy County Engineer shall investigate the matter and make a written recommendation to the County Engineer within thirty (30) calendar days. The County Engineer or designee may hold a meeting with the employee, if deemed necessary, and will respond in writing within fifteen (15) working days after receipt of the Deputy County Engineer's recommendation. The decision of the County Engineer shall be final except that an employee may appeal certain matters (i.e., suspensions, fines, layoff, removal, etc.) to the State Personnel Board of Review. It should be understood that this procedure does not supersede or modify any provisions or requirements

relating to appeals to the State Personnel Board of Review or other state or federal courts or administrative agencies which may have jurisdiction.

SECTION: 3:8
SUBJECT: RESIGNATION

An employee intending to resign should notify the County Engineer in writing at least two (2) weeks in advance of the effective date in order to assure continuity of operations.

An employee who resigns while in good standing with the County Engineer may be "reinstated" to the same or similar position at the discretion of the County Engineer within one (1) year following the effective date of the resignation, thereby preserving certain seniority rights. After the expiration of one (1) year, a former employee may only be "rehired" at the discretion of the County Engineer and may not be "reinstated."

SECTION: 3:9
SUBJECT: UNCLASSIFIED AND CLASSIFIED SERVICE

Employees of the Lake County Engineer's Department are employed either in the classified or unclassified service based upon the nature of their duties and responsibilities and work relationship to the County Engineer pursuant to O.R.C. §124.11. Unclassified employees serve at the pleasure of the County Engineer and do not have the right of appeal to the State Personnel Board of Review.

SECTION: 3:10
SUBJECT: MINIMUM QUALIFICATIONS

It is the responsibility of employees to maintain the minimum qualifications of their classification as established by the Engineer and/or mandated by state or federal law, including a Commercial Driver's License (CDL) and any required endorsements. The County Engineer shall determine the qualifications and requirements for each classification.

CDL employees are required to notify the Administrator or their immediate supervisor within thirty (30) days of a conviction for any traffic violation (except parking) in any vehicle and must notify the Administrator or their immediate supervisor within twenty-four (24) hours if their license is suspended, revoked, cancelled, disqualified, or restricted.

In the event of an employee's CDL license revocation, suspension, or traffic offense conviction such as DUI/OVI (or similar) the employee will be subject to appropriate personnel action, which may include termination of employment.

Employees failing to maintain the minimum qualifications of their classification or who do not comply with state or federal requirements may elect to take a voluntary reduction of position if a permanent vacancy exists in a lower classification for which the employee is qualified. An employee who is reduced in position shall receive the rate of pay of the new classification, and will be restored to his/her former position if the requirements have been met within thirty (30) days. Thereafter the employee may apply for his/her former position when a vacancy becomes available and the requirements of the classification have been met. If such a vacancy does not exist or the employee does not voluntarily accept the reduction, the employee will be placed on a leave of absence without pay for a period not to exceed sixty (60) days. If the employee fails to regain the minimum qualifications by the expiration of the leave, the employee may be terminated at the discretion of the Engineer.

All employees are expected to make reasonable and diligent efforts to maintain the qualifications of their current classification.

SECTION: 3:11 (A)
SUBJECT: HARASSMENT

It is the policy of the Lake County Engineer to maintain an environment free from employee discrimination, including harassment based on an employee's race, color, religion, sex, national origin, age, ancestry, disability or military status. In order to maintain this environment, harassment, whether committed by supervisors, co-workers, or members of the public, is strictly prohibited. This policy refers to "sexual" harassment or harassment solely for ease of reference. When this policy references "sexual" harassment or harassment, all other forms of prohibited discrimination and harassment as set forth herein are equally applicable.

A. Definition

Sexual harassment includes, but is not limited to the following:

1. Repeated unwanted and/or offensive sexual flirtations, advances, or propositions;
2. Repeated verbal abuse of a sexual nature;
3. Graphic or degrading verbal or written comments about an individual, the individual's appearance, or the individual's sexual orientation;
4. The display of sexually suggestive objects, pictures, or the display of same through other media;
5. The implication or threat that an employee's or applicant's employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee or applicant's submission to sexual harassment in any form; and
6. Any offensive, abusive, or unwanted physical contact.

Harassment based on race, national origin, religion, disability or age is defined as unwelcome comments and actions pertaining to the particular characteristic at issue or when the workplace is so permeated with conduct relating to that characteristic that it alters the terms and conditions of employment and creates a hostile work environment.

B. Responsibility

1. It is the responsibility of all employees to aid in maintaining a work environment free from harassment. Therefore, it is the responsibility of each employee, including supervisory and managerial, to immediately report any instances of sexual harassment to the proper authority (see Reporting Procedure below). Any employee, who observes any conduct that may constitute sexual harassment of a co-worker, but fails to report same, may be subject to disciplinary action. Moreover, any employee who receives a complaint alleging conduct which may constitute sexual harassment of an employee, but fails to report the same, may

be subject to disciplinary action. There will be no reprisals against any individual for making and/or completing such report; however, the Lake County Engineer will not tolerate the making of false, malicious, and/or derogatory statements and/or reports.

2. It is further the responsibility of each supervisor to ensure that all employees who report to the supervisor are aware of the policy against sexual harassment, that they are aware of the complaint and reporting procedures, and that they are aware of the consequences of engaging in sexual harassment.
3. It is the responsibility of management to maintain an environment free from sexual harassment. Management shall ensure that supervisors are sufficiently trained in recognizing sexual harassment, the complaint and reporting procedures, the proper methods of investigating complaints of sexual harassment, and the disciplinary procedure regarding sexual harassment.
4. Management shall also ensure that all employees are aware of this policy and that all employees receive sufficient training to maintain an environment free from sexual harassment. (Additionally, each newly-hired employee will receive training in this policy as a part of their employee orientation.)

C. Procedure

1. Once a complaint of sexual harassment has been received, or an instance of sexual harassment has been reported, the complaint shall be immediately forwarded to a proper member of management for investigation (see Reporting Procedure below). The proper member of management shall then immediately investigate the matter in accordance with the investigation procedure. The complaining employee and/or the reporting employee will be informed of the results of the investigation.
2. If, after a thorough and prompt investigation, it is determined that sexual harassment has occurred, the employee who has been found to have committed sexual harassment will immediately be disciplined in accordance with the disciplinary procedure for sexual harassment. The complaining and/or reporting employee(s) will be informed of the results of the disciplinary procedure.
3. If, after the investigation, it is determined that no sexual harassment occurred, or that there is insufficient evidence to determine whether or not sexual harassment has occurred, the complaining employee and/or reporting employee will be informed of same.

D. Complaint Procedure

Any employee who believes that he or she has been the subject of sexual harassment, and/or any employee who has witnessed an incident or incidents of sexual harassment, should report the matter(s) to the proper authority immediately.

1. Reporting Procedure

- a. Any employee who believes that he or she has been the subject of or witness to sexual harassment should immediately report the alleged act(s) to his or her immediate supervisor.

If the immediate supervisor is the subject of the complaint, the employee should report to the next level of management. (In some cases, this may be the appointing authority). If the appointing authority is the subject of the complaint, the employee should report the matter to the Lake County Prosecutor.

- b. The employee alleging sexual harassment shall complete a written complaint form provided for that purpose (attached hereto as Form A). The employee should provide:
 1. The employee's name;
 2. The name of the subject of the complaint;
 3. The act(s) complained of;
 4. The date(s) of the act(s);
 5. Any witnesses to the alleged acts; and
 6. The remedy the employee is seeking.
- c. If the employee alleging sexual harassment is unwilling to complete the complaint, the form shall be completed by the person to whom the verbal complaint was made.
- d. After the complaint form has been completed, the complaint will promptly be investigated by the proper member of management. This form should be completed by the employee as soon as possible, and no later than two (2) working days after the date the alleged harassment occurred.
- e. If the investigation reveals that the complaint is valid, prompt action will be taken to end the harassment immediately.
- f. Any employee who is found, after appropriate investigation, to have engaged in sexual harassment of another employee or a member of the public shall be subject to disciplinary action, up to and including termination.

E. Disciplinary Procedure

When it is determined that there is cause for believing that sexual harassment has occurred, the following steps will be followed:

1. The charged party will immediately be suspended with pay or temporarily transferred pending the final resolution of the complaint.
2. If the charged party requests it, a meeting will be held during which the charge will be explained to the charged party, and the charged party will be given the opportunity to respond to the charge.

3. Subsequent to the meeting a final determination will be made. If it is determined that a prima facie case of sexual harassment has been established, the charged employee will be verbally notified and may be given an opportunity to resign. An employee found guilty of sexual harassment may, depending upon the severity of the harassment, be given the option of being immediately suspended without pay until such time as the employee completes a program in sexual harassment awareness conducted by a recognized professional. All costs for this program will be borne by the employee. Upon successful completion of the program, the employee may apply for reinstatement, and will be reinstated upon presenting proof of successful completion of the program. The reinstatement will be conditional upon the employee's good behavior. Any future act of sexual harassment by the employee will result in immediate termination without recourse to this option, or resignation.
4. If the employee elects resignation, the employee must sign an agreement waiving any and all claims, before any agency, board, court or other reviewing authority, arising from the employee's employment.
5. If the employee declines resignation, a notice of pre-disciplinary conference will be issued.

SECTION: 3:11 (B)
SUBJECT: WORKPLACE ROMANCES

To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform the Administrator or the County Engineer if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited, but must be appropriately addressed. Should the County Engineer determine that a conflict exists between an employee's employment and a personal relationship with a co-worker, the County Engineer will attempt to work with the employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both of the parties must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly, or indirectly supervise.

SECTION: 3:12
SUBJECT: SMOKE-FREE ENVIRONMENT

Medical evidence clearly indicates that smoking is harmful to the health of smokers. Smoke from cigarettes, cigars, and pipes is also an irritant to many non-smokers, is known to worsen allergic conditions, and long-term exposure to second-hand smoke may seriously affect the health of non-smokers.

The Engineer recognizes an obligation to provide a healthy work environment in order to maintain a reasonable expectation of employing and retaining a healthy staff and encourage healthful workplace activities.

To this end, therefore, there shall be no area within any building, office, facility or vehicle of the Lake County Engineer wherein smoking of any tobacco product shall be permitted. This is generically known as a "smoke-free environment" policy.

The Engineer also recognizes each employee has a right to smoke and may do so at outside locations. The Engineer will also support an employee's desire to cease smoking in any appropriate manner that will be of a benefit to both the Engineer's Department and the employee. Employees will not, however, be allowed to lessen their total daily or weekly work time in order to smoke.

SECTION: 3:13 (A)
SUBJECT: ALCOHOLISM AND DRUG ABUSE

"Alcoholism and Drug Abuse" is defined as the use of controlled substances which cause intoxication or impairment on-the-job poses risk to the Employer, the affected employee, co-workers, and the public.

The term "reasonable suspicion" shall, for the purposes of this policy, be defined as follows:

Aberrant or unusual on-duty behavior of an employee which:

- A. Is observed on duty, and
- B. Is the type of behavior or gives other indications which are recognized and accepted as symptoms of intoxication or impairment caused by controlled substances or alcohol.

No drug testing may be conducted without authorization of the Engineer or designee. If he is satisfied that there is "reasonable suspicion" that the employee may be intoxicated or impaired, then the employee may be ordered to submit to an appropriate toxicology test designed to detect the presence of alcohol, chemical adulteration, marijuana metabolites, opiates, amphetamines and phencyclidine or other substances. The testing shall be done by an accredited hospital or a recognized independent testing facility as selected by the Engineer. Any employee refusing testing shall be considered /treated as a positive test and shall be subject to disciplinary action up to termination, at the Engineer's discretion.

An employee who admits to a previously undisclosed substance abuse problem prior to a notice of selection for testing or being suspected or detected shall be given the opportunity of rehabilitation and shall not be disciplined or discharged for such an admission. However, any employee admitting to a substance abuse problem may be removed from a safety-sensitive position and, if possible, reassigned to a position that is compatible with the employee's knowledge, skill, and abilities. If no such position is available, the employee may utilize any available sick and vacation leave during treatment.

The Engineer is not obligated to offer treatment in lieu of discipline, but may reasonably accommodate an employee's drug or alcohol dependency by allowing an eligible employee to enter a rehabilitation program in accordance with Section 4.5. The employee's return to employment with the Department shall be conditioned upon successful completion of the program including any inpatient, outpatient, and/or follow up treatment and/or counseling prescribed. If the employee refuses rehabilitation, he may be subject to termination of employment. Any employee ordered into a rehabilitation program shall be subject to unannounced testing, not to exceed twice per year, for a period of three (3) years from the date of resolve of the prior incident.

If there is reason to suspect drug or alcohol possession by an employee, the Engineer may search an employee's assigned County vehicle, tool box, locker or other County property and may also avail him of other remedies prescribed by law such as interrogation by law enforcement officials. The Engineer may also take reasonable measures to preclude removal or distribution of suspected evidence. However, such searches shall not be unreasonable.

An employee who is using either a prescription drug or over-the-counter drug, whether or not prescribed by a physician for a medical condition, which is known or publicized as possibly impairing judgment, coordination, or other senses important to the safe and productive performance of work, shall be required to notify their supervisor of such use prior to starting work. A decision will then be made as to whether the employee will be permitted to work, and any necessary work restrictions will be imposed. A physician's statement indicating the nature and effect of the medication shall be provided by the employee to the Engineer and will be kept in the employee's medical file.

In the event an employee tests positive and wishes to have a second independent test, he/she may do so at his own expense. Such additional test shall be performed using a portion of the original sample collected by the testing facility and must be requested by the employee in a timely manner. Documented chain of custody shall be maintained. Any second or third test will be conducted in a manner to detect the same area of substances performed in the original test.

SECTION: 3.13 (B)
SUBJECT: DRUG FREE WORKPLACE POLICY

In balancing the interests of the County of Lake, its residents, its employees, and the health, safety, and general welfare of the public, the Lake County Engineer finds that fair and equitable testing for drugs in the workplace, in accordance with the terms of this policy and the laws of the State of Ohio, the constitution of this state, and the constitution of the United States, is in the best interest of all parties.

A healthy and productive work force and safe working conditions free from the effects of drugs are of importance to the County, its residents, its employees, and the general public. All have an interest in a safe and productive work environment, in preserving the quality of the services rendered, and in maintaining a favorable reputation of the Engineer's Office. The abuse of drugs creates a host of workplace problems including increased injuries on the job, increased absenteeism, increased financial drain on the Engineer's programs and funds, increased workplace theft, and decreased employee morale. The public has an interest in safety in the workplace and in the quality of services rendered by the Engineer's Office. The public also has an interest in controlling and reducing the crime rate, both in and out of the workplace. Further, the public has an interest in the continued ability of the County to provide services to its residents. The misuse of drugs poses a threat to these important goals.

Furthermore, the Drug Free Workplace Act of 1988, 41, U.S.C. Section 701 et. seq., obligates employers to implement established criteria to establish and maintain a drug-free workplace. The following provisions are established in this policy to meet these obligations: (1) that the unlawful use or possession of drugs in the workplace is prohibited; (2) that the Engineer shall provide drug free awareness information to its employees; (3) that employees convicted of drug-related crimes occurring in the workplace are required to notify the Engineer within five (5) days of conviction, plea, or any other resolution of the incident; (4) that the Engineer shall take appropriate personnel action against employees who unlawfully use or possess drugs in the

workplace; (5) that the Engineer shall report any conviction to federal contracting or granting agencies the County of Lake utilizes in obtaining federal dollars within ten (10) days; and (6) that the Engineer shall make a good faith effort to continue maintaining a drug free workplace.

Off-the-job use of drugs, alcohol or any other prohibited substance which results in impaired work performance, including but not limited to absenteeism, tardiness, and other actions that could compromise or impair the ability of the employee to carry out his/her duties, endanger fellow employees, and/or harm the County Engineer's Department image is prohibited. Employees should realize that these regulations prohibit all illicit drug use on and off duty.

A. Prohibited Conduct

1. Use of Controlled Substances

The Engineer shall not hire for employment individuals who demonstrate that they are illegally using, or have illegally recently used controlled substances. All final candidates for employment are required to undergo controlled substance testing. Prospective employees who test positive shall be required to re-test negative through a certified testing facility at their own expense to be reconsidered for employment. The Engineer shall not retain as an employee an individual who uses controlled substances, as defined by the criminal laws of the State of Ohio, to the extent that such use would impair employee job performance or tend to bring the Engineer's Office into disrepute, or constitute conduct unbecoming the employee's position. In no event shall an employee continue to use controlled substances, either on duty or off duty, during the term of employment with the County of Lake.

2. Sale or Distribution of Controlled Substances

Employees of the Engineer are prohibited from engaging in conduct, either on or off duty, amounting to the illegal distribution of controlled substances as defined by the criminal law of the State of Ohio.

B. Testing Warranted by Action, Conduct, or Behavior

Employees may be required to undergo mandatory drug and/or alcohol testing when involved in a serious incident during working hours and/or when observed behavior provides probable cause to believe the employee may be under the influence of or abusing drugs and/or alcohol.

1. On-duty incidents are defined as any serious event resulting in death, injury, property damage, motor vehicle accident. The Engineer or his designee shall order the testing of any involved employees in these instances. Motor vehicle accident is defined as any vehicular accident resulting in death, injury requiring medical treatment, or property damage estimated by the Employer to be greater than one thousand dollars (\$1,000).

2. Testing under reasonable suspicion circumstances may be ordered if there is probable cause to believe the employee may be under the influence of abusing drugs and/or alcohol.
3. The Engineer or his designee shall have the authority to order any subordinate employee under his supervision to submit to a drug or approved test to determine blood/alcohol level.
4. Collection and testing shall be conducted by a recognized independent testing facility as determined by the Lake County Board of Commissioners or the Engineer. Such tests will be conducted under established policies governing collection, testing, chain of custody, and retention of samples.

C. Employees Who Test Positive

An employee who tests positive for drugs and/or alcohol as a result of an on-duty incident is subject to disciplinary action, up to and including dismissal from employment. In those incidents where the violation has not resulted in dismissal, then in addition to any disciplinary action that might be imposed, employees may be required to participate in a rehabilitation program as determined by the Employer.

1. Refusal of the employee to enter such treatment program shall be grounds for administrative action up to and including dismissal.
2. Any employee who has tested positive for drugs and/or alcohol shall be subject to unannounced testing for the period of two (2) years from the date of resolve of the prior incident and three (3) years for safety-sensitive positions set out in Section C (4).
3. Refusal of any employee to take a drug or alcohol screening test when ordered by the Engineer/designee may be the basis for administrative action including dismissal from employment.
4. List of Safety-Sensitive Positions

All employees who perform safety-sensitive functions and are required to maintain a CDL license.

5. In the event an employee tests positive and wishes to have a second independent test, he may do so at his own expense. Such additional test shall be performed using a portion of the original sample retained by the testing facility. Documented chain of custody shall be maintained.

D. Severability

If any part or provision of this policy is held to be invalid under or repugnant to the laws of the State of Ohio, the constitution of this state, or the constitution of the United States, the remainder of this policy shall not be affected and shall continue in full force and effect.

SECTION: 3:14
SUBJECT: EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Lake County Engineer is concerned about the health and safety of its employees. Consistent with that concern, an Employee Assistance Program (EAP) is available under an employee's major medical plan to assist employees in dealing with medical or behavioral problems that are now causing or could potentially cause serious disruptions in an employee's personal or work life. These problems include, but are not limited to, alcoholism and other drug misuse, marital, family, gambling, legal, financial, and psychological.

Employees who are suffering from any type of personal problem described above are encouraged to voluntarily seek diagnostic counseling and treatment such as those provided under their major medical plan. Employees may also voluntarily request referrals to appropriate professional services in the community. Such referral requests will be kept completely confidential. Further, no employee suffering from any of these problems will have his/her job security or promotional opportunities jeopardized by requesting diagnosis and treatment.

Any supervisor who believes that the deteriorating job performance and conduct of an employee is caused by a personal problem may refer an employee to the EAP. The supervisor should first meet privately with the employee to discuss his/her job performance and conduct only and encourage the employee to seek outside diagnosis and treatment by a professional. (Supervisors should understand that they are not competent or expected to diagnose personal problems or otherwise make judgments about the causes of or treatments for behavioral problems.) It is the employee who is then responsible for accepting and complying with a supervisor's referral. The employee is further responsible for following the treatment prescribed.

If the employee rejects the offer of counseling assistance and job performance and conduct problems are resolved, no further actions will be necessary by the supervisor. However, if the referral to the EAP is rejected by the employee and the job performance and conduct problems continue or recur, the employee shall be subject to disciplinary action.

Nothing herein shall be construed or interpreted so as to relieve an employee with any of the above-described problems of their responsibility for fulfilling the requirements and standards for their job, complying with all work and safety rules, and otherwise maintaining satisfactory job performance. The failure of any employee to meet these performance requirements and standards shall subject him/her to disciplinary action.

The purpose of the EAP is to guide the employee to appropriate community programs and professionals, maintain and disseminate literature pertaining to services available, assure confidential and private handling of referrals, and answer employee and supervisor questions pertaining to the EAP.

SECTION: 3:15
SUBJECT: SOLICITATION AND DISTRIBUTION

The following policy on solicitation and distribution is hereby adopted by the County Engineer as to any and all employer premises including but not limited to administrative offices, work sites, and locations.

Non-employees of the County Engineer who intend a solicitation and distribution visit to the interior premises of the employer's facility shall give the Employer not less than twenty-four (24) hours notice of each visit. Such notice shall be accompanied by a list of persons intending access and a designated time. All solicitation and distribution activity by non-employees shall be confined to non-work time and in non-work areas designated by the County Engineer and must not jeopardize health and safety.

Employees of the County Engineer are not permitted to engage in solicitation of other employees and distribution during any employee's work time whether in work or non-work areas. Employees may conduct solicitation and distribution activity in work and non-work areas, but only if both employees are on non-work time.

The County Engineer may regulate any solicitation and distribution activity by any employee or non-employee which disrupts or interferes with the normal work on the Employer's premises.

Definitions:

- The term "solicitation," as used in this policy, includes but is not limited to any act which requests, urges, or seeks to induce in any way any employee to give or pay or obligate to pay money for any cause for any reason or to sign any document indicating membership in any organization, association, or group, or indicating support for or a pledge to any such organization, association, or group.
- The term "distribution," as used in this policy, includes the passing out of any type of literature, advertising, handbills, circulars, forms, or any other memorabilia.
- The term "work area," as used in this policy, includes but is not limited to all offices, work sites, locations, conference rooms, and corridors leading directly thereto, and such other areas which are essential to the performance of an employee's duties.
- The term "non-work area," as used in this policy, includes but is not limited to cafeterias, break rooms, or other areas where work is not customarily performed.
- The term "work time," as used in this policy, includes but is not limited to such time when an employee is engaged or should be engaged in work duties and assignments.
- The term "non-work time," as used in this policy, includes but is not limited to such time when an employee is not required to perform work duties and assignments, such as meal periods, authorized breaks, and before and after scheduled shifts or working hours.

SECTION: 3:16
SUBJECT: COMPUTER USAGE

It is the policy of the Lake County Engineer's Office to provide computer hardware and software to enable the facility to operate at optimum efficiency. The proper usage and care of the computer hardware and software is the responsibility of every employee.

Just as any written document, some of the information entered into the computer system of the Lake County Engineer's Office can be open to the public for review. Usage of the computer system will at all times be kept on a professional level that represents in keeping with the mission and goals of the Lake County Engineer's Office.

This policy is meant as an internal guide to the Lake County Engineer's Office employees and is not meant to convey any substantive rights to any person. This policy is also not an enlargement of any employee's civil duties to members of the general public.

A. Privacy

Network and Internet access is provided as a tool to be used in the conducting of business by employees of the Lake County Engineer's Office. The County Engineer reserves the right to monitor, inspect, copy, review, delete, retrieve and store at any time and without permission or prior notice any and all usage of the Network and the Internet access and any and all materials, files, information, software, communications, and other content created, transmitted, received, or stored in connection with this usage. It is specifically prohibited for employees to knowingly visit sites that feature pornography, terrorism, espionage, theft, or drugs or any illegal activities. All such information, content, and files shall be and remain the property of the Lake County Engineer's Office, and you should not have any expectation of privacy regarding those materials. Network Administrators may review files and intercept communications for any reason, including but not limited to, maintaining system integrity and ensuring that users are using the system consistently with this policy.

B. Employee's Cyber Language

All users must abide by rules of Network etiquette, which include being polite and using the Network and the Internet in a safe and legal manner. The Lake County Engineer or authorized person(s) will make a good faith judgment as to which materials, files, information, software, communications, and other content and activity are permitted and prohibited based on the following guidelines and under the particular circumstances.

Among uses that are considered unacceptable and constitute a violation of this policy are the following: (a) using, transmitting, receiving, or seeking inappropriate, offensive, swearing, vulgar, profane, suggestive, obscene, abusive, harassing, belligerent, threatening, defamatory (harming another's reputation by lies), or misleading language or materials; (b) revealing personal information such as your or another's home address, telephone number, or social security number; (c) making ethnic, sexual-preference, or gender-related slurs or jokes.

C. Proper Care and Usage

1. It is critical that all workstations are well maintained and working properly in the Lake County Engineer's office. The loss of use of any workstation will become a hindrance to proper management of daily activities.
2. In order to keep workstations functioning properly the following guidelines must be followed at all times:
 - a. Never have food or liquids on or near your workstation. Any food particles or liquid that get into the hardware will damage the equipment and disable the workstation. Any damage to the equipment by foods or liquids will be the responsibility of the employee.

- b. The workstation is to be kept clean at all times. Dust and dirt will cause damage to the workstation and will prevent it from functioning properly.
- c. Outside software is strictly prohibited from being introduced into the system. In addition to outside programs being unauthorized, computer viruses are very common and due to the destructive nature of these viruses, persons are only permitted to use the software preloaded on the system.
- d. No employee, unless authorized by the System Administrator, is permitted to make alterations to the computer system, introduce new software, or use "back doors" in the system to access additional programs. Further, no employee is permitted to design his or her own computer environment on the system (i.e. own screen savers, colors, print type, adding games, playing computer games, etc.). Backgrounds, screen savers, etc. preloaded on all computers are acceptable.

Note: Turning on the media player to listen to radio stations on the computer significantly slows down the use of the internet connection and should not be used.

Note: ORC 2913.04 states:

- No person shall knowingly use or operate the property of another without the consent of the owner or person authorized to give consent.
- No person shall knowingly gain access to, attempt to gain access to, or cause access to be gained to any computer, computer system, or computer network without the consent of, or beyond the scope of the express or implied consent of, the owner of the computer, computer system, or computer network or other person authorized to give consent by the owner.
- Whoever violates division (B) of this section is guilty of unauthorized use of computer property, a felony of the fifth degree.

If you find yourself in an area by accident that you have never seen before, contact the System Administrator immediately before proceeding any further. Do not alter your computer environment for any reason.

- e. Every employee has a specific password which gives him or her access to the system. The computer logs the date and time that an employee is on the system. Every time an employee is finished at a workstation, he or she must log-off the workstation. Please do not change passwords without the knowledge of the System Administrator. Passwords must be changed every thirty (30) days by the user to ensure the integrity of the individual computers. On the first day of the month, change the password on your computer and notify the System Administrator by email that the password has been changed.

- f. No person is permitted to access the computer by any password other than his or her own password. Each person is responsible for keeping his or her password private. Any information entered into the computer system will be the responsibility of the person whose password was used to enter the information into the system.
- g. Each person is responsible for the workstation at his or her assigned post. Each employee will inspect the workstation when he or she takes the post. If there is any damage to the workstation or problems that should be noted the employee is to immediately contact the System Administrator.
- h. No person is permitted to move any computer equipment. If there is a problem with the equipment, or it is desired to have the computer equipment in a different location, then the System Administrator is to be contacted. The System Administrator will be responsible for supervising the moving of any computer equipment in the facility.
- i. EMAIL is to be used expressly for business concerning the Lake County Engineer's Office and the operations of this facility. EMAIL is not to be used for personal business (i.e. buying/selling/trading of personal items/Union business/criticism of the administration or its policies, harassment, defamation of character, etc.).
- j. Employees must not access, create, store or transmit intimidating, offensive, hostile or otherwise inappropriate or unprofessional material or communications using the Lake County Engineer's electronic resources or equipment or their own personal devices or resources while on the Engineer's premises, work-time, or at any time for the Engineer's business. The policies against harassment and discrimination apply fully to employees' use of all such equipment and resources, including the e-mail system, voicemail system, cell phones and internet access.

D. Prohibited Activities

Employees are prohibited from accessing the Internet for the following activities or purposes.

- 1. Receipt and dissemination of pornography, sexually explicit, hate oriented, racially offensive, threatening or illegal images or information, including offensive jokes or cartoons.
- 2. Web sites that promote discrimination, hatred, or religious intolerance.
- 3. Gambling.
- 4. Shopping or auction activity that is not work related.
- 5. Non work-related instant messaging and chat rooms.
- 6. Engaging in fund raising efforts or political activities.
- 7. Operating a business or activity for personal gain.
- 8. Downloading and/or distributing illegal or "pirated" software, audio or video files, or copyright protected material in a manner that infringes upon copy rights and/or intellectual property of others.
- 9. Playing online games.

10. Playing Internet based radio.
11. Web sites and activities that, in the opinion of the employee's supervisor, reflect unfavorably on Lake County or its boards, commissions, employees and citizens.
12. Malicious and deliberate attempts by individuals to compromise the network by stealing data, destroying data or other detrimental purposes (also called hacking).
13. Creating an encrypted connection that originates behind the firewall to an external proxy server.

This list is not meant to be all inclusive. Other uses may be prohibited at the discretion of the County Engineer.

Social Networking

The Engineer understands the popularity and fascination with social networking on web sites including Facebook, MySpace, and others. The Engineer also understands that there are legitimate business uses for social networks. However, there are security and privacy issues associated with using social networks that are not aligned with goals stated in the policy. Therefore, the Engineer is going to block access to social networking web sites, but allow it for any employee that is permitted access by the County Engineer.

Blogging

Blogging is the practice of sharing opinions online with other people. Sites like Twitter (and most online newspapers) have blogging capabilities with every article so people can share their thoughts. Although blogging will not be blocked, employees are encouraged to remember they represent the Engineer and the County as a whole, so any blog entries should be carefully considered before posting. The following guidelines are suggested for blogging:

1. Ask your supervisor if posting a blog entry is acceptable. If so, review it with him/her before submitting it. Once you click the submit button, it will never permanently disappear.
2. Clearly identify yourself and don't discuss anything anonymously.
3. Leave contact information for offline follow-up.
4. Be sure you post information according to all privacy and legal policies.

E. What Records are Maintained

All web site viewing requests are passed through a security device called a "content filter" on the network. The content filter actually decides if a request to view a web site is granted or denied. The IT Department subscribes to a service that categorizes all web sites, and the content filter is updated daily. The IT Department simply identifies what categories should be blocked based on this policy. The content filter records every single web site and link every employee visits, and stores this information in electronic log files. The electronic log files are deleted when no longer of administrative value.

F. Normal Operations

1. If you experience a problem with your workstation, please run through the following checklist before contacting the System Administrator:
 - a. Check all connections to make sure they are securely seated. (Power cords, Network Connections, Printer, Mouse, etc.).

- b. Check that the workstation is turned on. Make sure that the power strip is turned on.
- c. Check monitor contrast and brightness controls. (Front of monitor)

If you have a printing problem:

- a. Check paper.
 - b. Power printer on and off if necessary.
- 2. Turn off your computer at the end of the working day.
 - 3. Leave Network Printers on at all times.

G. System Administrator

If you are unable to solve the problem yourself:

- 1. Contact the System Administrator. Prepare a brief statement, or note any error messages, circumstances leading to problem, etc. Include as many details as possible. The more information available to the System Administrator, the easier it will be to correct the problem.

The Lake County Engineer's Office computer network is a large and tightly controlled environment. The introduction of new software can introduce "viruses" that can shut down the entire network and cause the system to lose files through such corruption of the system. Using "back doors" or accessing sections of the system without prior approval can corrupt data files and shut-down the system. All employees must only work in authorized areas of the system for the safety and security of this system.

SECTION: 3:17
SUBJECT: USE OF VEHICLES

County-owned (Engineer Department) and County-leased (Engineer Department) motor vehicles shall be used for official Lake County Engineer business only. Employees operating a motor vehicle must have a proper and valid motor vehicle operator's license or commercial drivers license (CDL), appropriate to the vehicle.

- A. Lake County Engineer vehicles shall not be taken home overnight except as follows:
 - 1. Those employees designated by the Engineer or approved by the Department Head to be "on 24-hour call" for Engineer Department emergencies.
 - 2. For more than one night when specifically authorized by the Engineer.
- B. Lake County Engineer vehicles must be available for County business at all times.
- C. Lake County Engineer vehicles may be used for travel to approved meal periods:
 - 1. When an employee is on County business.

2. When an employee is in the County in a County vehicle where driving to obtain his/her personal car would result in an extra and unnecessary expenditure of fuel.

Transporting family members in a County vehicle shall be allowed only when the family member is accompanying a County employee to a business meeting or official function.

Lake County Engineer vehicles shall be legally and appropriately operated and/or parked at all times. Violations issued to the driver of the vehicle will be the responsibility of the driver not the County.

Any employee who operates a County vehicle shall exercise caution and responsibility and shall adhere to all laws and safety regulations including use of seat belts, harnesses and speed limits. It shall be the driver's responsibility to ensure use of seat belts by all passengers. Employees are expected to avoid unnecessary distractions while driving. Cellular telephones should only be used with hands-free microphones while driving, and should not be used at all when driving in conditions of significant traffic or frequent stops. Reckless, careless, or other inappropriate operation of vehicles is grounds for disciplinary action.

Lake County Engineer employees who are provided and authorized to take County vehicles home may be subject to tax liability under the federal regulations and applicable payroll taxes. Non-exempt employees who are provided County vehicles shall be subject to a one dollar and fifty cent (\$1.50) per one way commute or three dollar (\$3.00) per day tax benefit who commute to and from work unless permitted to take a more advantageous taxing formula.

All applicants for employment who may be required to operate a vehicle in the course of their employment may be denied employment on the basis of an unsatisfactory driving record. At the direction of the Engineer, denial of employment may be made without regard to the number of points or violations, whether they occurred within the past thirty six (36) months or whether they occurred within the State of Ohio.

The Engineer or his designee may establish supplemental department vehicle policies.

SECTION: 3:18
SUBJECT: CONDUCT AND APPEARANCE

The primary purpose of the Lake County Engineer's Office is to serve the general public in meeting its needs. In this regard, employees of the Engineer are expected to be prompt, efficient, and to maintain a courteous, professional demeanor in the presence of the general public, and other employees. Argumentative, rude, hostile or otherwise unprofessional behavior, including profane language, whether directed towards the general public, a supervisor, co-worker or any other party is prohibited. In addition, potentially offensive material is not to be displayed or circulated in the workplace.

The Engineer reserves the right to prescribe standards for dress and grooming and requires that an employee's overall appearance be neat, clean and appropriate in order to put forth a favorable image on behalf of the Engineer's Office, such as wearing of a shirt and long pants or uniforms as required during working hours. The wearing of any item of clothing that bears objectionable, vulgar, obscene, and/or profane pictures, caricatures, writings, or other forms of inappropriate communication is strictly prohibited. Lettered and/or illustrated attire which promotes a particular political, moral, religious, personal or other opinion should not be worn.

An employee's personal grooming and hygiene shall not only reflect a favorable image on behalf of the Engineer's Office, but also will not interfere with the efficient performance of each employee's duties.

Any employee who fails to comply with the Employer's dress code standards, fails to wear an approved uniform or violates any grooming standard shall be subject to disciplinary action.

Off-the-job use of drugs, alcohol or any other prohibited substance which results in impaired work performance, including but not limited to absenteeism, tardiness, and other actions that could compromise or impair the ability of the employee to carry out his/her duties, endanger fellow employees, and/or harm the County Engineer's Department image is prohibited. Employees should realize that these regulations prohibit all illicit drug use on and off duty.

SECTION: 3:19
SUBJECT: HEALTH AND SAFETY

The County Engineer shall attempt to provide the most reasonably safe and healthful working conditions, equipment, and work methods for all employees. In order to assist the County Engineer in this goal, it is necessary for all employees to follow appropriate and accepted safety practices, work rules and methods and to be observant as to potential hazards in their work environment.

In the event that an employee feels that an unsafe and/or hazardous condition exists within the workplace, or if an employee is injured during the course of his or her employment, the employee shall report such condition to the Safety Coordinator as soon as possible after its discovery. In addition, employees of the County Engineer are encouraged to forward suggestions pertaining to health and safety issues to the Engineer or his designee.

Safety meetings will be held with the general workforce to improve safety and heighten awareness of health and safety issues.

The Engineer has adopted the following specific policies pertaining to vests, hard hats, and eye and foot protection:

A. Vests

1. Brightly colored, highly visible Safety Vests will be provided by the Engineer to all employees. Generally, employees shall be required to wear a vest at all times in areas where it is determined by supervisors to increase visibility to moving vehicles. Only vests provided by the Engineer may be worn.
2. Employees are responsible to make sure that their vests are available for use when required.
3. Vests with reflective strips will be worn by flaggers at all times.
4. All mower operators will wear a safety vest.

5. Vests do not have to be worn in the following locations and/or job assignments:

- a. Inside County vehicles.
- b. On a job site where the road is closed to traffic.
- c. Inside buildings.
- d. Chipper operations.

B. Hard Hats

- 1. As determined by the Supervisor, hard hats will be worn by all employees working in areas where there is the possible danger of head injury from impact or from falling and/or flying objects (OSHA 1910.135).
- 2. Employees will be required to wear hard hats in designated "Hard Hat Areas" which will be marked with signs.
- 3. Examples of where hard hats will be worn at all times include any of the following situations:
 - a. Whenever an employee is working near any equipment which has a swinging boom or bucket or which is subject to discharging rock or debris that could cause injury. (Examples of equipment include: backhoe, gradeall, crane, bush hog, or mowing machine.)
 - b. Whenever an employee is operating a mower not equipped with an enclosed cab.
 - c. Whenever an employee is working in an excavation, manhole, etc.
 - d. Whenever an employee is working in, near, or under any structure, such as a bridge, culvert, etc. which could present a danger of head injury.
 - e. At all pipe or culvert installation job sites.
 - f. At all trimming, mowing and chipping job sites.
 - g. At all bridge job sites below the deck.
 - h. At all ditching and backhoe job sites.

C. Eye Protection

Employees will be provided with eye and face protection when operations present potential eye or face injury. Employees shall wear Employer-provided appropriate eye protection such as safety glasses, goggles, or face shields whenever working with or near grinders, chippers, welders, weed whackers, jackhammers or any other equipment which presents potential eye or face injury.

D. Ear Protection

The Employer will provide ear protection (e.g. ear plugs, ear muffs) upon employee request when performing required job duties.

E. Foot Protection

All employees will provide their own work boots or shoes which must be worn at all times during work hours. Only appropriate heavy-duty shoes will be allowed. Tennis shoes or soft shoes are not allowed.

F. Maintenance of Safety Equipment

1. The policies stated herein are for safety and welfare of our employees. Employees must be continually aware of their own safety and the safety of co-workers while at work. Failure of employees to comply with the above policies regarding the use of vests, hard hats, eye protection, foot wear and uniforms may result in appropriate corrective action.
2. The care of all safety equipment, including vests, hard hats, and uniforms is the responsibility of the employee. Vests, hard hats, and uniforms will be identified with the employee's name.
3. Worn or damaged vests, hard hats, and uniforms, not the result of negligence, will be replaced at no cost to the employee.
4. If vests, hard hats, and uniforms are lost or stolen more than once, replacement costs will be charged to the employee.

G. Seat Belts

Seat belts must be worn in the operation of all county vehicles and equipment in accordance with applicable law and/or safety standards.

H. Respirator Protection-- OSHA Regulation 29 CFR 1910.134

Employees must complete the current federally-approved questionnaire which will be reviewed by a physician to determine if an employee can wear a respirator. This review may require a telephone interview with the employee. Based upon the review and/or interview, the employee may be required to undergo further testing including a basic physical and spirometry.

SECTION: 3:20

SUBJECT: CHANGE OF ADDRESS AND PHONE NUMBER

It is the responsibility of all employees to maintain a current address and phone number on file with the Engineer's Department. Employees must notify the Administrator in writing within ten (10) days when a change has been made in address or telephone number.

SECTION: 3:21

SUBJECT: ALCOHOL AND DRUG TESTING

This policy is promulgated to comply with the Omnibus Transportation Employee Testing Act of 1991 for the testing of holder's of CDL's (Commercial Drivers License) and all applicable Federal regulations, specifically U.S. Department of Transportation 49 CFR Part 40, as amended.

- A. Any questions regarding these policies or procedures should be directed to the Superintendent, Administrator, or the Safety Coordinator. For purposes of this policy, the "Employer" is the Lake County Engineer or designee.

- B. All employees who operate a commercial motor vehicle (CMV) are subject to this policy. This includes but is not limited to:
1. Full-time regularly employed drivers; casual, intermittent, or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to the Employer or who operate a CMV at the direction of or with the consent of the Employer.
 2. For the purposes of pre-employment/pre-duty testing only, the term "driver" includes a person applying for a position that permits or requires the driving of a CMV.
 3. Employees promoted or transferred into a position requiring the operation of a CMV are treated as new hires for the purposes of this policy and pre-employment testing requirements.
- C. For purposes of this policy, safety-sensitive functions include:
1. All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the Employer;
 2. All time inspecting equipment as required or inspecting, servicing, or conditioning any CMV at any time;
 3. All time spent at the driving controls of a CMV in operation;
 4. All time, other than driving time, in or upon any CMV;
 5. All time loading or unloading a vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
 6. All time spent by the driver performing functions relating to accidents;
 7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.
- D. Drivers covered by this policy are prohibited from engaging in the following:
1. Reporting to duty, remaining on duty, or performing a safety-sensitive function while having an alcohol concentration of 0.04 or greater;
 2. Reporting to duty, remaining on duty, or performing a safety-sensitive function while using a controlled substance (including prescription drugs, unless the physician has advised the driver that the substance does not adversely affect the driver's ability to operate a CMV), or if the driver tests positive for controlled substances;
 3. Possessing alcohol while on duty or operating a CMV;

4. Using alcohol or controlled substances while on duty;
 5. Performing safety-sensitive functions within four (4) hours after using alcohol;
 6. Using alcohol for eight (8) hours following an accident in which the driver is required to take a post-accident alcohol test or until the driver undergoes a post-accident alcohol test, whichever occurs first;
 7. Refusing to submit to a post-accident, random, reasonable suspicion or follow-up alcohol or controlled substance test.
- E. If a driver/employee violates any of the prohibitions listed in Section D of this policy, the following consequences will result:
1. The driver/employee may be disciplined up to and including termination. An employee may be permitted an opportunity at rehabilitation. If rehabilitation is granted, disciplinary action may, at the discretion of the Engineer or designee, be mitigated by the successful completion of the recommended program. However, a first offense under this policy may result in the employee's termination.

If the driver/employee is not terminated, accumulated sick leave, vacation, compensatory and floating holidays may be required to be used to cover any period of absence as provided in the Family and Medical Leave (FML) policy.
 2. The driver shall be immediately removed (taken out of service) from the safety-sensitive position. Such removal is in accordance with federal regulations.

At the Employer's discretion, a driver may be permitted to perform non-safety sensitive functions, if the Employer determines that such a position is available. If no such non-safety sensitive position is available, the employee can request Family and Medical Leave, disability leave, or other unpaid leave of absence.
 3. The driver shall be provided with information regarding the services available for alcohol and substance abuse.
 4. The driver shall be evaluated by a substance abuse professional, and may not perform safety sensitive functions until all recommended counseling and treatment are completed. These actions are in accordance with federal regulations.

Failure to complete or participate in a prescribed counseling or rehabilitation program shall result in the employee's termination. Any costs associated with the prescribed counseling or rehabilitation program are the responsibility of the employee, unless otherwise covered by the Employer-sponsored medical benefit plan to which the employee belongs.
 5. The driver will be subject to re-evaluation, return-to-duty testing, and unannounced follow-up testing. These actions are in accordance with federal regulations, and therefore not subject to the grievance procedure.
- F. A driver is required to notify his supervisor before beginning work when taking any medication or drugs, prescription or non-prescription, which may interfere with

performance and/or cause a safety hazard in operating County vehicles and equipment. At the same time, the driver will provide a statement from a physician stating that the employee's ability to safely perform job duties is not adversely affected by the medication prior to performing those duties. The supervisor will keep such information confidential. Safety-sensitive employees (CDL holders) are required by DOT CFR part 40 to report prescription medications and provide such a physician's statement prior to performing safety-sensitive functions.

If the treating physician determines that the medication will impair the driver's ability to perform safety-sensitive functions, at the Employer's discretion, the employee may be permitted to perform non-safety sensitive functions, if the Employer determines that such a position is available at that time. If no non-safety sensitive functions are available, the employee will be permitted to use accumulated sick leave, vacation, bonus time, floating holiday pay, or unpaid leave to cover the period of absence. If the driver does not have sufficient paid leave to cover the period of absence, he or she must request unpaid leave in accordance with the Engineer's policy. The employee may be required to follow the FML policy and procedures if the absence applies.

G. A driver will be required to submit to testing for alcohol and/or controlled substances under the following circumstances:

1. Pre-employment testing: Prior to the first time a driver performs a safety-sensitive function, the driver will be tested for controlled substances. The driver will not be permitted to perform safety-sensitive functions unless the controlled substance test results are negative.

The Employer shall arrange the time and location for the pre-employment test. The applicant is responsible for reporting to the collection site for the test. The Employer will be responsible for only the cost of the test itself. All other costs incurred by the applicant concerning a pre-employment test are the applicant's responsibility. These same requirements shall apply when an existing employee moves from a non-driver position into a position requiring a CDL.

2. Post-accident testing: As soon as practicable following (a) an accident in which a fatality occurs, (b) an accident in which an injury is treated away from the scene and the driver/employee receives a citation for a moving violation arising from the accident, or (c) an accident in which a vehicle is required to be towed from the scene and the driver/employee receives a citation for a moving violation arising from the accident, the driver shall be tested for alcohol and controlled substances. The Employer shall cease attempts to administer the test eight (8) hours following the accident for alcohol and after thirty-two (32) hours for controlled substances.

The driver shall be transported to the collection site by a representative of the Engineer's Office. Following the test, the employee shall be transported home and the employee will not be permitted to perform safety-sensitive functions until a negative controlled substance test result is reported.

Following a breath alcohol test which shows no detectable amount of alcohol, the driver will be permitted to apply for accumulated sick leave, vacation, bonus time, floating holiday pay, or unpaid leave to cover the period of absence until

the controlled substance test results are available. If the controlled substance test results are negative, the employee will be credited for the used paid leave, or compensated for the period leave without pay at the employee's regular hourly rate of pay.

Following a breath alcohol test result which shows a detectable level of alcohol of 0.02, but less than 0.04, the driver will be taken home and permitted to apply for accumulated paid leave. The driver may not perform safety-sensitive functions for a minimum of twenty-four (24) hours. An employee with a breath alcohol test of less than 0.04 but greater than 0.02 shall also be subject to appropriate disciplinary measures in accordance with the Engineer's policy.

Following a breath alcohol test result which shows a concentration of 0.04 or greater, or following a positive controlled substance test result, if the driver's employment is not terminated, he or she may request the use of accumulated sick leave, vacation, bonus time, floating holiday pay, or unpaid leave and the consequences listed in Section "E" above will result.

3. Random testing: Testing for alcohol and controlled substances will be conducted on an annual basis using U.S. Department of Transportation (DOT) minimum rates, regulations and procedures per 49 Code of Federal Regulations (CFR) Part 40. Each driver will have an equal chance of being tested each time selections are made. The dates for testing shall be unannounced and spread throughout the calendar year. When a driver is selected for testing, he or she shall cease doing the safety-sensitive function and proceed to the test site immediately. If a driver is randomly selected for an alcohol test, and that driver is not currently performing, just about to perform, or just finished performing a safety-sensitive function, the driver's selection will be kept confidential until the next time that driver performs a safety-sensitive function.

Following a random breath alcohol test result which shows a detectable level of alcohol of greater than 0.02, but less than 0.04, the driver will be taken home and permitted to apply for accumulated paid leave. The driver may not perform safety-sensitive functions for a minimum of twenty-four (24) hours. An employee with a breath alcohol test of less than 0.04 but greater than 0.02 shall also be subject to appropriate disciplinary measures in accordance with County Engineer policy.

Following a random breath alcohol test result which shows a concentration of 0.04 or greater, or following a positive random controlled substance test result, if the driver's employment is not terminated, he or she may request the use of accumulated sick leave, vacation, bonus time, floating holiday pay, or unpaid leave and the consequences listed in Section "E" above will result.

4. Reasonable suspicion testing: A trained supervisor or official may require a driver to undergo testing for alcohol or controlled substances based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the driver. If a driver is required to undergo testing under this section, the driver must immediately cease to perform the safety-sensitive function and he or she shall be transported to the collection site by a representative of the Engineer's Office. A driver can only be required to

submit to a reasonable suspicion alcohol test when the driver is performing, just about to perform or just after performing safety-sensitive functions.

If a driver is required to under reasonable suspicion controlled substance testing, such employee shall not be permitted to perform safety-sensitive functions until a negative controlled substance test result is reported. Following a reasonable suspicion controlled substance test, the driver will be permitted to apply for accumulated sick leave, vacation, bonus time, floating holiday pay, or unpaid leave until the test results are available. If the controlled substance test results are negative, the employee shall be returned to his/her position and credited for the used paid leave or compensated for the period of leave without pay at the employee's regular hourly rate of pay.

Following a reasonable suspicion breath alcohol test result which shows a detectable level of alcohol of 0.02, but less than 0.04, the driver will be taken home and permitted to apply for accumulated paid leave. The driver may not perform safety-sensitive functions for a minimum of twenty-four (24) hours. An employee with a breath alcohol test of less than 0.04 shall also be subject to appropriate disciplinary measures in accordance with County Engineer policy.

Following a reasonable suspicion breath alcohol test result which shows a concentration of 0.04 or greater, or following a positive reasonable suspicion controlled substance test result, if the driver's employment is not terminated, he or she may request the use of accumulated sick leave, vacation, bonus time, or floating holiday pay, or unpaid leave, and the consequences listed in Section "E" above will result.

The Employer will cease any attempt to administer a reasonable suspicion alcohol test eight (8) hours after the observation of reasonable suspicion was made.

5. Return-to-duty testing: Before a driver who has been found to be in violation of the prohibitions section of this policy, set out in Section D, may return to duty in a position requiring the performance of safety-sensitive functions, the driver must undergo testing for alcohol and/or controlled substances. The results of the alcohol test must show less than 0.02 concentrations if the offense involved alcohol, and the controlled substance test must be negative if the offense involved controlled substances. Any driver, whose return to duty test results are 0.02 or greater for alcohol, or positive for controlled substances, will be terminated from employment.
6. Follow-up testing: When a driver has been found to be in violation of the prohibitions section of this policy, set out in Section D, and the substance abuse professional has determined that the driver needs assistance in resolving alcohol or substance abuse problems, the driver will, in accordance with federal regulations, be subject to a minimum of six (6) unannounced follow-up tests within the first twelve (12) months following the driver's return to duty as directed by the substance abuse professional. Any driver whose follow up test results are 0.02 or greater for alcohol or positive for controlled substances will be terminated from employment.

- H. Within seventy-two (72) hours of receiving notice of a verified positive controlled substance test, the employee may request to have the split sample tested by any other DHHS certified laboratory, at the employee's expense.
- I. Controlled substances for the purpose of this policy include all legal, illegal, and prescription drugs containing marijuana metabolites, cocaine metabolites, opiate metabolites (codeine, heroin & morphine), Phencyclidine (PCP), and amphetamines (amphetamine, methamphetamine, MDMA, MDA, MDEA). All drug screening and confirmation tests shall be conducted by a laboratory certified under the DHHS "Mandatory Guidelines for Federal Workplace Drug Testing Programs." The Employer and the laboratory shall have a clear and well-documented procedure for collection, shipment, and accessing of urine specimens. The procedures utilized by the Employer and the laboratory shall include an evidentiary chain of custody and control and split sample collection and testing. The collection site person is responsible for maintaining the integrity of the specimen collection and transfer process. All procedures shall be outlined in writing and provided to Employer representatives and donors.
- J. All alcohol breath tests shall be administered by a trained breath alcohol technician (BAT) or a law enforcement officer certified to conduct such tests. Only evidential breath testing (EBT) devices shall be used along with the prescribed breath alcohol testing form. The Employer and the testing facility shall follow the procedures in 49 CFR Part 40.
- K. Refusal to submit to any of the alcohol or controlled substance tests required by this policy will result in the driver's immediate removal from the safety-sensitive functions and may result in disciplinary action. Refusal will be treated as a positive test, and the driver will be referred to a counseling program and subject to return-to-duty and follow-up testing. Actions constituting a refusal to submit to a test include:
 - 1. Failing to provide adequate breath for alcohol testing;
 - 2. Failing to provide adequate urine for controlled substance testing;
 - 3. Engaging in conduct that clearly obstructs the testing procedure;
 - 4. Failing to remain readily available for a post-accident test.
- L. Drivers who have been tested for alcohol with the results showing a concentration of 0.02 but less than 0.04 will not be permitted to perform any safety-sensitive functions for twenty-four (24) hours following administration of the test. Discipline may be administered in accordance with the policies herein.
- M. Information regarding the effects of alcohol and controlled substance use on an individual's health, work, and personal life, and information about drug and alcohol counseling, rehabilitation, and employee assistance programs is available through the Liaison Office or Personnel Office, and will be periodically provided to employees.

Employees are encouraged to voluntarily admit problems with alcohol and/or controlled substances prior to violating this or other Employer policies. Employees may voluntarily request assistance from the County Engineer in solving an alcohol or substance abuse problem at any time prior to being notified of his/her selection for testing without fear of discipline or discharge. Such request should normally be directed to the Personnel

Officer in complete confidentiality. If an employee voluntarily enters into counseling or rehabilitation, he/she will be permitted to apply for accumulated sick leave, vacation, compensatory time, floating holiday pay, FML leave, and/or leave without pay. Any costs associated with a voluntary counseling or rehabilitation program are the responsibility of the employee, unless otherwise covered by the Employer-sponsored medical benefit plan to which the employee belongs.

- N. Upon written request from the driver, the Employer will promptly provide copies of any records pertaining to the driver's use of alcohol or controlled substances, including the results of any tests. The Employer may charge a reasonable fee for copies; however, access to this information will not be contingent upon payment for records other than those specifically requested.
- O. All employees subject to this policy remain subject to all other policies, procedures, rules, and regulations established by the Employer under the its independent authority, and which are not inconsistent with the requirements herein. All employees also remain subject to all other relevant federal, state, and local laws and regulations. The parties agree that this program shall not diminish the rights of individual employees under state and federal laws relating to drug testing.

SECTION: 3:22
SUBJECT: ALCOHOL AND DRUG TESTING FOR CAUSE

- A. Subject to the limitations contained in this paragraph, all employees are subject to alcohol and drug testing where there exists probable cause to believe that alcohol or drug use is impairing the employee's ability to perform job duties. Alcohol and/or drug testing may be directed by the Engineer or designee.

An employee may be required to undergo such testing immediately:

- 1. When the Engineer or designee determines that there are objective indications of impairment of behavior, demeanor, speech, appearance, job performance, and probable cause to believe that the employee has been impaired by alcohol or drugs while in the scope of his/her employment by the Lake County Engineer's Office;
 - 2. When an employee is involved in a work-related accident, causing injury to person or damage to property, for which alcohol or drug impairment may reasonably have been a contributing factor; or
 - 3. During any physical examination regularly required by the Engineer or local, state, or federal law.
- B. An employee judged to be under the influence of alcohol or drugs will be required to leave the premises and is subject to disciplinary action, up to and including discharge.
- C. An employee who refuses to sign a consent form allowing for testing with test results to be presented to the Engineer or designee, or who fails to cooperate fully and in a timely manner with the requirement to undergo alcohol or drug testing, shall be considered insubordinate and subject to disciplinary action.
- D. An employee who tests positively for alcohol or drugs shall be given reasonable opportunity to challenge or explain the results.

- E. If the results are confirmed and no medical justification exists, the employee may be given reasonable opportunity to participate in a program of counseling and/or treatment. Such program shall be at the employee's expense, except that employee health insurance may provide inpatient or outpatient coverage.
- F. Where an employee who tests positively, without a medical justification for such positive test result, declines to participate in a counseling and/or treatment program, or withdraws from a program once begun without satisfactory completion or release, the Engineer may take such disciplinary action as may be appropriate.
- G. A program of counseling or treatment may be approved by the Engineer as an alternative to disciplinary action provided he/she finds the following:
 - 1. The employee demonstrates good cause to believe that counseling or treatment will be beneficial and it would pose no potential risk of health or safety.
 - 2. The employee has not had previous related discipline.
 - 3. The employee either continues to work satisfactorily while undergoing counseling or treatment; or applies for sick leave and/or extended leave during the period of the counseling or treatment program. The Engineer reserves the right to prohibit employees from returning to their positions until successful completion of a program of counseling and/or treatment; however, such employees may apply for sick leave or extended leave without pay.
- H. As used in this policy, alcohol and drug tests include blood, urine, breath, or other chemical tests performed by physicians and professional testing laboratories. The results of any such test will remain confidential, to the extent allowed by law, except for its use in official safety or accident investigations, criminal prosecution of the employee, or any action related to the removal or discipline of the employee.
- I. Any test required under this policy shall be conducted at the Employer's expense. Employees who dispute the test results are permitted to have a second analysis conducted of the split sample at their own expense.
- J. Employees refusing to cooperate in any investigation, search, or screening test, or found to be in possession of illegal drugs or other prohibited substances, will also be subject to disciplinary action. The individual rights of employees will not be abridged.
- K. Legally prescribed drugs and over-the-counter medications may be taken in the workplace, provided that they are taken as prescribed and the employee can perform the essential job functions as set forth in the job description.
- L. Any employee convicted of any federal or state criminal drug offense, which occurred in the workplace, must notify the Engineer of that fact within five (5) calendar days of conviction. Upon conviction, the Engineer shall take appropriate personnel action against such employee up to and including termination, taking into consideration any past disciplinary action and/or past rehabilitation efforts of the involved employee or require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by federal, state, or local health and law enforcement.

SECTION: 4:1
SUBJECT: SICK LEAVE

A. Crediting of Sick Leave

Sick leave credit shall be earned at the rate of 4.6 hours for each eighty (80) hours of service in active pay status which shall not include unpaid leaves of absence or layoff.

B. Application Required for Sick Leave Usage

An employee wishing to utilize accumulated sick leave shall furnish an "Application for Leave and Compensatory Time" form to the supervisor/department head for recommendation to the Engineer or designee for approval or disapproval. The completed application must contain a brief description of the illness or cause for use. The application shall be submitted as soon as the employee learns of the necessity for sick leave usage. If the usage of sick leave was unforeseeable, and the application could not be furnished prior to sick leave usage, the application shall be submitted immediately upon the employee's return to work.

C. Evidence of Use

Whenever professional medical attention is obtained by the employee or member of the employee's immediate family, a certificate, from a licensed practitioner, stating the nature of the condition is required to justify the use of sick leave. As required, the physician's certificate must indicate that the employee is released to work without restrictions that would prevent the employee from performing his or her job responsibilities.

A certificate from a licensed healthcare provider is required in each case when an employee is absent three (3) or more consecutive days due to illness or injury (personal or that of a family member).

Falsification of either the signed statement or a physician's certificate shall be grounds for disciplinary action which may include dismissal.

D. Retention of Sick Leave

Any employee who transfers in accordance with ORC 124.38 or is reinstated or re-employed in the County Engineer's Department retains his sick leave balance, provided the time between separation and reappointment does not exceed ten (10) years.

E. Uses of Sick Leave

Employees may use accumulated sick time upon approval of the County Engineer and for the following reasons:

1. Illness or injury of the employee or a member of his immediate family. (In case of a member of the immediate family not living in the same household, the County Engineer may credit sick leave when he believes it is justified, but such cases will be carefully investigated.)
2. Death of a member of the employee's immediate family (maximum of three [3] working days).

3. Medical, dental, or optical examination, or treatment of employee or a member of his/her immediate family. A certificate from a licensed physician, dentist or optometrist verifying the appointment is required.
4. If a member of the immediate family is afflicted with a contagious disease and requires the care and attendance of the employee; or when through exposure to a contagious disease, the presence of the employee at his job would jeopardize the health of others.
5. Pregnancy and/or childbirth and other conditions related thereto.

F. Charging of Sick Leave

Sick leave shall be charged in minimum units of one-half (1/2) hour. An employee shall be charged for sick leave only for days upon which he would otherwise have been scheduled to work. Sick leave payment shall not exceed the normal scheduled workday or workweek earnings.

G. Notification by Employee

When an employee is unable to report to work, he, or his designee in case of emergency, shall notify his immediate supervisor or other designated person at least one-half (1/2) hour prior to the time he is scheduled to report to work on each day of absence, unless the employee makes other arrangements with his supervisor. If an employee reports off after his scheduled starting time, he will be placed on an unpaid leave of absence for the day and will not be entitled to sick leave pay unless otherwise approved at the discretion of the Engineer or his designee. Any employee failing to report his absence for the normally scheduled workday or who continually fails to report his absence timely shall be subject to disciplinary action, including termination.

Employees who have pre-scheduled appointments are required to report the same to the supervisor no later than the end of the employee's shift prior to the day of the appointment.

H. Expiration of Sick Leave

If illness or disability continues past the time covered by earned sick leave, the employee may then use accumulated vacation. Upon exhaustion of applicable paid leave, the employee may then be granted either a leave of absence without pay or an unpaid disability leave. Approval of an unpaid leave of absence shall be in accordance with Section 4.5.

I. Sick Leave Donation Policy

This program has been established to allow employees to voluntarily donate sick days to fellow employees in the Engineer's office who have a critical need for leave due to a serious illness or injury to the employee or a member of the employee's immediate family and who have exhausted all sick and other accrued paid leave.

When an employee or someone on his behalf requests sick leave donations, he shall notify the Engineer in writing. The Engineer will then post a notice for ten (10) working days informing employees about the request for sick leave donations. No donations shall be made after ten (10) working days. All donations are voluntary.

The Leave Donation Program allows employees, who after donating accrued sick leave will retain a sick leave balance of at least one hundred eighty (180) hours, to donate a minimum of eight (8) hours of leave to an eligible fellow employee by completing a Leave Donation Program - Donor Application Form. Each employee may donate up to a maximum of eighty (80) hours sick leave annually to an eligible fellow employee.

Upon completing the form, a donating employee shall certify that he or she is donating the sick leave voluntarily and understands that the sick leave will not be returned. An employee is eligible to receive donated sick leave when the employee, or a member of the employee's immediate family, has a serious illness or injury; the employee has no accrued leave, has not been approved to receive other state-paid benefits, and has applied for any paid leave, worker's compensation or benefits program for which the employee is eligible. Once an employee has been approved for a paid benefit program, he or she becomes ineligible to receive donated sick leave. Thus, donated leave may not be used to supplement an employee's approved disability leave benefits.

Donations of sick leave will not be considered actually donated nor be deducted from the donor's balance or credited to the receiving employee's balance until the pay period such leave is actually used. Sick leave and vacation accrued by the employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received. Unused donation applications and balances shall be returned to the original donor. All donated sick leave will be at the recipient's rate of pay.

J. Engineer's Policy for Control of Absenteeism

The Lake County Engineer's Department has the right and responsibility to guard against excessive use of sick leave and false claims of absence. It is critical that employees report to work promptly every scheduled work day to perform their assigned tasks. By accepting employment with the Lake County Engineer's Department, employees are indicating that they will take appropriate action to manage their personal affairs, maintain good health standards, and take precautions against accidents both on and off the job.

The objective of this policy is to work with both employees and supervisors to encourage regular attendance, reduce inefficiency in our operations and establish a consistent method of defining the discipline and corrective action for inappropriate use.

It has also been formulated to provide counseling and corrective action for employees with poor attendance records. The policy is not intended to be punitive in nature, with the exception of fraud, but to help employees work toward identifying causes of their excessive absenteeism and assist in correcting the reasons for the absences.

The time period used for reviewing the use of sick leave is a "rolling" six (6) month period. This is determined by measuring backward six (6) months from the employee's most recent occurrence. An occurrence is an undocumented (no physician certificate) use of sick leave for other than extended illness, bona fide job-related workers'

compensation, or verified course of continued treatment with the approximate date of original illness or injury.

K. Disciplinary Action

The following lists the action which will be taken if an employee fails to maintain regular attendance and/or if sick leave use indicates a potential pattern of abuse. An employee will be given the opportunity to explain, rebut, or refute a pattern of abuse claim.

1. Upon the fourth incident of excessive absenteeism and/or pattern of abuse progressive disciplinary action shall be initiated.
2. Progressive Discipline:

Step	Infraction	Discipline
1	Four (4) occurrences in a six (6) month period	Verbal instruction and counseling
2	Two (2) additional occurrences in the six (6) month period [following discipline at Step 1]	Written reprimand
3	Two (2) additional occurrences in the six (6) month period [following discipline at Step 2]	One to Three (1-3) day suspension without pay
4	Two (2) additional occurrences in the six (6) month period [following discipline at Step 3]	Ten (10) day suspension without pay
5	Two (2) additional occurrences in the six (6) month period [following discipline at Step 4]	Termination

L. Physical Examination

The Engineer may require an employee to take an examination conducted by a licensed physician, if job-related and justified by business necessity, to determine the employee's physical or mental capacity to perform the essential duties of his or her position. Provisions relating to the conducting of such examinations and consequences thereof may be found in the Ohio Administrative Code for classified non-bargaining unit employees. Under this policy, employees will be returned to work or continue to work if they can perform the essential functions of their requirements. If they cannot perform all essential functions they may be granted restricted duty.

M. Transitional Work Policy

The Engineer will attempt to accommodate employees who are unable to perform their duties by providing transitional work/light duty to enable such employees to work within their medical restrictions. Such duty will be granted at the sole discretion of the Engineer and provided such accommodation does not constitute a hardship or undue burden upon the operations of the Engineer. Transitional/light duty will be reviewed on a case-by-case basis.

N. Definitions

1. Sick Leave - Absence granted for medical reasons or an absence granted by an employee's immediate supervisor.
2. Unauthorized Use of Sick Leave:
 - a. Failure to notify supervisor of medical absence;
 - b. Failure to complete standard sick leave form;

- c. Failure to provide physician's statement when required;
 - d. Fraudulent physician statement
- 3. Misuse of Sick Leave - Use of sick leave for that which is not intended or provided.
- 4. Pattern of Abuse - Consistent periods of sick leave usage. *For example:*
 - a. Before and/or after holidays;
 - b. Before and/or after weekends or regular days off;
 - c. After pay days;
 - d. Any one (1) specific day;
 - e. Absence following overtime worked;
 - f. Half (1/2) days;
 - g. Continued pattern of maintaining zero (0) or near zero (0) leave balances;
 - h. Excessive absenteeism - absence in excess of four (4) occurrences in a six (6) month period, where no chronic condition exists which has been documented by a physician's statement.
- 5. Occurrence - An undocumented (no physician statement) use of sick leave for other than extended illness, bona fide job-related workers compensation, or verified course of continued treatment with the approximate date of original illness or injury.
- 6. Immediate Family - "Immediate Family" for purposes of this policy includes: spouse, children (including non-blood relative children who live with the employee in a child-parent relationship, e.g., step-child, foster child, legal guardianship child, etc.), parents (including step-parents), grandparents, grandchildren, siblings (including half brothers/sisters & step brothers/sisters), mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and a legal guardian or other person who stands in place of a parent.

SECTION: 4:2

SUBJECT: NOTIFICATION OF ABSENCE

An employee who is unable to report for work, and who is not on a previously approved day of vacation, sick leave, compensatory time, personal leave, or unpaid leave of absence, must notify his or her immediate supervisor or other designated individual that he/she is unable to report to work. The notification must be made at least one-half (1/2) hour prior to the time the employee is scheduled to report for work, unless emergency conditions prevent such notification.

For illness or injury resulting in sick leave usage exceeding three (3) consecutive calendar days, the employee shall advise his/her immediate supervisor or other designated individual of his/her expected date of return.

Failure to comply with this procedure may result in loss of pay and/or disciplinary action.

SECTION: 4:3
SUBJECT: VACATION

All full-time employee of the County Engineer's Office shall be entitled to vacation after completion of one full year of employment as follows:

YEARS OF SERVICE	CREDIT EARNED PER EIGHTY (80) HOURS	VACATION CREDIT EARNED YEARLY (HRS.)
1 thru 7	3.1	80
8 thru 14	4.6	120
15 thru 25	6.2	160
Over 25	7.7	200

Vacation time is credited each bi-weekly pay period at rates as established above. It is recommended that employees use accrued vacation leave each year prior to the employee's next anniversary date. However, an employee may accumulate vacation leave to a maximum amount equal to three times their annual rate of accrual. Vacation credit in excess of three (3) years on the employee's anniversary date will be eliminated.

Upon separation from service from Lake County, an employee is entitled to compensation for accrued but unused vacation at the employee's current normal hourly rate of pay.

Vacation accumulation does not accrue during time spent on a leave of absence without pay; however, time spent on authorized leave of absence counts toward the number of years of service in determining vacation accumulation.

During January of each calendar year, employees will be given an opportunity to indicate their vacation leave preference. Seniority and operational needs will be factors in determining the schedule. Vacation requests received after January 31 will be granted based upon at least a three (3) workday advance notice and the first submitted request, and operational needs. The Engineer shall determine the number of employees within each work unit that may be on vacation leave at any given time.

Emergency vacation and/or vacation requests with less than three (3) work days advance notice will be granted only in those situations where an employee has a "bona fide" emergency which is spontaneous, unscheduled, and the emergency could not have been otherwise reasonably resolved without the presence of the employee. Such situations will be strictly scrutinized and may require appropriate supporting documentation.

Any employee who establishes that they have purchased prior active military service through the Public Employees Retirement System shall receive an equal amount of years (and fractions thereof) of service credit towards time employed with Lake County. Upon submission of appropriate PERS documentation demonstrating proof of purchase to the County Engineer or his designee, vacation time shall be credited to the veteran as if it were serviced time for Lake County. An entry shall be made in the employee's personnel file that documents this portion of time as "Veteran's Purchased Service Credit." The employee's anniversary date shall be adjusted accordingly. This benefit shall not be construed as affecting seniority or any benefit other than service time for the accrual of vacation benefits. Veterans become eligible for this benefit after one (1) year of employment with Lake County.

SECTION: 4:4
SUBJECT: HOLIDAYS

All full-time employees are entitled to the following holidays which shall be observed on those dates annually set by the Lake County Board of Commissioners. At present this includes:

1. New Year's Day
2. Martin Luther King Day
3. President's Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Columbus Day
8. Veterans Day
9. Thanksgiving Day
10. Christmas

If the holiday falls on a Saturday, it shall be observed on the preceding Friday; if the holiday falls on a Sunday, it shall be observed on the following Monday. If the holiday occurs while an employee is on vacation leave, the vacation day will not be charged against such leave. Holiday pay will not be given to any employee who is on a leave of absence without pay. In order to be eligible for holiday pay, the employee must be in active pay status the last scheduled workday before the holiday and the first scheduled workday after the holiday unless excused by the Engineer.

Any full-time hourly employee who is required by the Employer to work on any of the above listed holidays, excluding New Year's Day, Thanksgiving, or Christmas, shall receive, in addition to holiday pay of eight (8) hours, one and one-half (1 1/2) times their regular hourly rate for all hours worked on the holiday. Any employee required to work on New Year's Day, Thanksgiving, or Christmas shall receive compensation at the rate of two (2) times their regular hourly rate for all hours worked.

Any employee whose work week is less than forty (40) hours but a minimum of thirty-two (32) hours shall not be entitled to holiday pay on those holidays that fall on the employee's regularly scheduled day off. Should a holiday fall on the employee's regularly scheduled day off, the employee will be granted the day off preceding the holiday with pay. Employees are not permitted to work on the day off, thereby exceeding their normal hours for the pay period, unless requested to do so by the Engineer.

SECTION: 4:5
SUBJECT: LEAVES OF ABSENCE WITHOUT PAY

Any employee who has exhausted his/her accumulated sick leave and is unable to perform the essential job duties of his/her position may request or be placed on unpaid medical leave of absence not to exceed six (6) months. Said request must be accompanied by appropriate medical documentation. If the disabling condition is expected to exceed six (6) months, the employee who is unable to perform the essential job duties of his/her position shall be placed on involuntary disability separation. A medical or psychological examination conducted by a licensed practitioner with the appropriate approval, however, shall be required prior to placing an employee on disability separation unless the employee is hospitalized at the time of the

disability separation. In addition, the Lake County Engineer shall schedule a pre-separation hearing when he has received the results of the medical or psychological examination and the Engineer has initially determined that an employee is incapable of performing the essential job duties of his/her position with or without a reasonable accommodation or is not eligible for a leave of absence without pay. At this hearing (if the employee does not waive it), the employee shall have the right to examine the Engineer's evidence of disability, to rebut that evidence, and to present testimony and evidence on his/her behalf.

If the Lake County Engineer, after weighing the testimony presented and evidenced produced at the pre-separation hearing, determines that the employee is incapable of performing his/her essential job functions with or without reasonable accommodation, then he shall issue an O.C.R. 124.34 order of involuntary disability separation. The total combined time of absence due to the disability shall not exceed three (3) years for purposes of reinstatement. An employee given a disability separation shall have the right to reinstatement within three (3) years of the disability separation or unpaid leave of absence, as appropriate, upon submission of appropriate medical documentation and as otherwise permissible by the Ohio Administrative Code Rules.

A. Educational Leave

An employee may be granted at the discretion of the Engineer a leave of absence without pay for the purpose of education, training, or specialized experience which would be of benefit to the operations of the County Engineer by improved performance.

B. Personal Leave

Personal Leave without pay is NOT a "benefit". For those employees who have completed their probationary period, an unpaid personal leave of absence may be granted for good cause as determined solely by the Engineer. (Such leave of absence shall not exceed one hundred and eighty [180] days.) If the leave does not qualify for FMLA, the employee is required to use all accumulated vacation and compensatory time before leave without pay is granted.

C. Authorization for Leave

The authorization of a leave of absence without pay is a matter of administrative discretion. The Engineer, or other designated representative, shall decide in each individual case if a leave of absence is to be granted. If a leave is denied, the employee shall be notified of the reason(s) in writing.

D. Application for Leave

All leaves of absence without pay, and any extensions thereof, must be applied for in writing to the County Engineer at least thirty (30) calendar days in advance of the date on which the leave is requested to begin except in emergency leaves which shall be handled on an individual basis. A leave of absence shall be requested and authorized on a form designated by the Engineer.

E. Sick Leave Credit and Vacation Credit

Vacation and sick leave credit do not accrue during leave without pay. Time spent on leave without pay does not count toward completion of a probationary period. However, time spent on an authorized leave of absence is to be counted in determining length of service for purposes of extended vacation eligibility or other purposes where seniority is a factor.

F. Reinstatement from Leave

Upon completion of a leave of absence and submission of any required documentation, the employee shall be returned to the position formerly occupied, or to a similar position if the employee's former position no longer exists. An employee may be returned to work before the scheduled expiration of leave if requested by the employee and upon advance submission of substantial, credible medical documentation, if required, that the employee is once again capable of performing the essential functions of his/her position, with or without reasonable accommodation.

In the event an employee requests reinstatement from a disability leave of absence or involuntary disability separation and the Engineer, upon review of the medical evidence presented, initially determines that the employee remains incapable of performing the essential job duties of his/her position with or without reasonable accommodation, a pre-reinstatement hearing shall be scheduled. If the employee does not waive the right to that hearing, then he/she shall have the right to examine the Engineer's evidence of continuing disability, to rebut that evidence, and to present evidence and testimony on his/her own behalf.

G. Failure to Return from Leave of Absence

An employee who fails to return to duty after a leave of absence shall be considered absent without pay and subject to disciplinary action. An employee who fails to return to duty within three (3) days of the completion of a leave of absence, without notification to the Engineer, will be considered absent without leave and may be discharged for neglect of duty. An employee who fails to apply for reinstatement within three (3) years of a disability leave and/or separation as required by applicable law or regulation shall be deemed permanently separated.

H. Absence Without Leave

An employee of the Engineer who at any time absents himself from duty without approved leave may be subject to disciplinary action. An employee who absents himself habitually without leave, or for three (3) or more successive duty days, without leave and without notice to the Engineer of the reason for such absence, shall be subject to termination from employment.

I. Abuse of Leave

If a leave of absence is granted for a specific purpose, and it is found that the leave is not actually being used for such purpose, the Engineer may cancel the leave and direct the employee to report for work by giving written notice to the employee. The employee may also be subject to disciplinary action for falsification of his request for the leave of absence. An employee who is granted any leave(s) of absence as described in this manual is prohibited from other employment, unless approved by the Lake County Engineer.

SECTION: 4:6

SUBJECT: PERSONAL LEAVE DAYS

After an employee has one (1) year of service with the Engineer's Office, the Engineer may grant the use of two (2) sick days per year to be used as an employee's personal days. To be eligible for such use, an employee shall have an accrued balance of sick leave at a level that does not fall below forty (40) hours at such time the personal leave is requested. The employee must secure

authorization five (5) working days prior to the use of such personal days with an application form provided by the Engineer. Personal leave, when requested, may not be taken in units of less than four (4) hours. Personal leave may not be used to cover unexcused absences, to extend an employee's work day/work week for the purpose of accruing overtime, and/or for purposes of extending an employee's effective date of resignation or retirement. In case of emergency, the five (5) day notice may be waived by the Engineer. Such personal days shall be deducted from sick leave.

Personal leave days shall be used within a given calendar year. Unused personal days shall not accrue from one year to the next unless waived by the Engineer.

SECTION: 4:7
SUBJECT: COURT LEAVE

The Engineer shall grant a paid leave of absence, at the employee's normal hourly rate, when an employee is subpoenaed for any court or jury duty by the United States, the State of Ohio, or a political subdivision or other lawful subpoena to serve in such capacity during the employee's normal working hours. All compensation received for court or jury duty is to be remitted by the employee to the Engineer, unless such duty is performed totally outside the employee's normal working hours. Employees shall retain any fees collected for travel mileage. An employee released from court or jury duty prior to the end of the first half of his shift shall report to work for the remaining hours.

Employees will honor any subpoena issued to them including those for workers' compensation, unemployment compensation, and Board of Review Hearings.

It is not considered proper to pay employees for non-work related appearances in court for criminal or civil cases which concern the employee's personal affairs such as traffic court, divorce proceedings, custody or juvenile matters, etc. Such absences must be applied for as leave without pay or vacation in accordance with established policy and procedures.

Employees must notify their supervisors as soon as possible after becoming aware of the need to request court leave, whether paid or unpaid, so that appropriate scheduling and staffing arrangement may be made.

SECTION: 4:8
SUBJECT: MILITARY LEAVE

Military leave shall be extended to employees of the County Engineer in accordance with Sections 124.29, 5923.05 and Chapter 5903 of the Ohio Revised Code and Chapter 43, Title 38, Sections 2021 (inducted employees) through 2024 (enlisted employees and reservists employees called to active duty) of the United States Code. These provisions have certain requirements in order to be re-employed including maximum length of military service, type of discharge (honorable), re-employment period, physical fitness or ability, qualifications to perform duties of former position, etc. Any employee requesting leave pursuant to this

provision shall be expected to submit appropriate documentation and execute necessary leave of absence forms as far in advance of the effective date of such leave as practical.

SECTION: 4:9
SUBJECT: INSURANCES

The County Engineer shall make available to all regular full-time employees the medical, hospitalization, dental and/or life insurance plans as established by the Lake County Board of Commissioners and shall determine the amount of employee contributions, if any, to such insurance plans. Employees on an unpaid leave of absence may continue health insurance coverage at their own cost in accordance with COBRA provisions and requirements. Employees are solely responsible for notifying the Administrator of any status changes affecting insurance coverages (i.e., marriage, divorce, dependents, etc.).

SECTION: 4:10
SUBJECT: RETIREMENT

All full-time employees of the Lake County Engineer are required by law to participate in the Ohio Public Employees Retirement System (O.P.E.R.S.) which is a program that is independent of the federal Social Security system.

Ohio law establishes the percentages of contribution by the employee and the Engineer and which may be changed from time to time.

An employee's benefit allowance when he/she retires will be based on the combination of: his/her final average salary; his/her length of public service during which he/she contributed to the Retirement system; and his/her age on his/her last birthday before the effective date of retirement.

OPERS is not required by law to provide health care benefits to retirees but has historically done so, and continues to strive to offer this benefit. Health care benefits will be provided for a person with the required years of qualifying service credit and who is receiving monthly benefits.

Any employee giving consideration to retirement is encouraged to notify the County Engineer at least ninety (90) days in advance of the anticipated effective date so that appropriate application may be made.

All questions of coverage and benefits are determined exclusively by OPERS, and OPERS rules and procedures take precedent over any statement in this Manual. For this reason, employees should contact OPERS directly with any questions.

Further information may be requested by writing to the following:

Public Employees Retirement System
277 East Town Street
Columbus, Ohio 43215
Telephone: 1-800-222-PERS (7377)
Website: www.opers.org

SECTION: 4:11
SUBJECT: UNIFORMS

The Engineer requires that certain classifications of employees and Road Department Supervisors wear uniforms. Sufficient uniforms will be provided for wear, including cleaning. Uniforms shall consist of a shirt and pants during the winter season and a t-shirt and pants during the summer.

Road Department Supervisors will be provided appropriate winter/summer uniforms as prescribed by the Engineer.

All employees and Supervisors of the Road Department are required to only wear the uniforms provided by the County Engineer. It shall be the responsibility of such employees to properly maintain and care for their uniforms. Any employee losing or negligently/improperly caring for his/her uniform shall reimburse the department for such costs.

SECTION: 4:12
SUBJECT: COMPENSATION

Wages and salaries of employees shall be established in a manner compatible with the philosophy, goals, objectives, external comparability, internal equity and financial resources of the County Engineer.

SECTION: 4:13
SUBJECT: WORKERS' COMPENSATION

The Lake County Engineer participates in the Ohio State Workers' Compensation Program. Employees on workers' compensation leave shall be placed on "inactive" payroll and shall not accrue vacation or sick leave and shall not be paid for holidays. No employee shall receive both workers' compensation and sick or vacation pay. The County Engineer shall pay all premiums for workers' compensation insurance.

The work-related injury, accident, or illness shall be reported within forty-eight (48) hours of the occurrence and/or diagnosis when applicable to the Superintendent, Supervisor, or Administrator. The proper forms and reports will be completed by the employee and the supervisor as soon as possible. All claims will be reviewed so recommendations can be made to prevent or correct a situation.

- A. State law provides that all employees are covered by Workers' Compensation for injuries that arise out of or in the course of employment.
- B. All injuries which arise out of or in the course of employment shall be reported and compensated for under this Workers' Compensation section and not under the Employer's health insurance plan.
- C. Injury Reports: When an employee is injured during the course of employment, the employee's supervisor shall provide the employee with an employee's report of injury form. If the injury is to an employee's back, an employee's report of back injury shall also be provided to the employee. The form(s) shall be completed regardless of the apparent seriousness of the injury and whether or not medical attention is required.

Such forms shall be completed by the employee and forwarded to the Engineer/designee within twenty-four (24) hours of the injury. The Engineer/designee shall review and complete the form(s).

- D. Application for Payment of Medical Benefits Only: When an employee's injury requires any type of medical attention, the supervisor shall, in addition to the injury report(s) described above, provide the injured employee with a "Workers' Compensation Information Card."
- E. Application for Payment of Compensation and Medical Benefits: When, in addition to medical attention, an employee's injury results in an employee's absence from work for seven (7) days or more, the employee may complete an "Application for Payment of Compensation and Medical Benefits," if such employee desires compensation for lost wages. The request shall be given to the employee's supervisor, who shall forward same to the department's payroll officer for completion. This form shall then be forwarded to the Auditor's office for completion.
- F. Serious Injury: In the event of a serious injury, the injured employee's supervisor shall notify the Engineer immediately so that an investigation can be initiated.
- G. Return to Work: The Engineer must be advised and continually updated if an employee continues to be absent due to a work-related injury. Employees are responsible for providing the Engineer their estimated date of return.
- H. Documentation: Any documents received from the injured employee, the employee's physician, the hospital, or the state regarding Workers' Compensation claims must be immediately forwarded to the Engineer/designee.
- I. Wages on Injury Date: Employees who are injured during the course of employment and who must leave work before completing their work period shall be paid at their regular rate for the balance of time left in their scheduled workday.
- J. Repurchase of Used Sick Leave: The Lake County Engineer's Department will not enter into sick leave advancement (Buy-Back) agreements allowing employees to repurchase sick leave after an award of temporary total disability compensation.
- K. Simultaneous Payments: Employees are prohibited from receiving payment for sick leave (but may receive other paid leave) while simultaneously receiving payment from Workers' Compensation.
- L. Accommodation of Disabled Employee: When confronted with an employee claiming a disability under the Workers' Compensation system, who is disabled as defined in the ADA, the Employer will consider making a reasonable accommodation that would allow the employee to continue performing the essential functions of the employee's position.

SECTION: 4:14
SUBJECT: UNUSED SICK LEAVE CONVERSION

A full-time employee with less than ten (10) years of employment who separates from employment due to death, retirement or resignation shall not be entitled to any payout for accrued unused sick leave accumulated during the course of their employment.

A full-time employee who has completed a minimum of ten (10) years of employment who separates from employment due to death, retirement or resignation shall be entitled to a payout of 50% of their unused sick leave accumulated during the course of their employment up to a maximum payment of 480 hours.

A full-time employee who has completed a minimum of twenty-five (25) years of employment with a Lake County Appointing Authority as of January 1, 2013 who separates from employment due to death, retirement or resignation shall be entitled to a payout of their unused sick leave accumulated during the course of their employment in accordance with the payment schedule below. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee.

Years of Employment	Percentage of Accrued Unused Sick Time (Hours)	Not to Exceed Maximum Number of Hours
From 25 th through 29 th year inclusive	80 percent	768 Hours
From 30 th through 34 th year inclusive	90 percent	864 Hours
From 35 th year and over	100 percent	960 Hours

SECTION: 4:15

SUBJECT: FAMILY AND MEDICAL LEAVE

The Lake County Engineer shall provide eligible employees a leave of absence for specific reasons and subject to certain guidelines as defined in the Family and Medical Leave Act (FMLA) of 1993. Eligible employees shall be provided up to twelve (12) weeks of leave during any twelve (12) month period in connection with specific qualifying events. A twelve (12) month period is rolling and is computed from the date such family and medical leave (FML) is first used. Employees shall be restored to the position they had when the leave began, or to an "equivalent position" with equivalent conditions of employment upon return from FML.

A. Qualifying Events

In order for FML to be made available, one of the following "qualifying events" must occur:

1. The birth and first year care of the employee's child;
2. The placement of a child with the employee for adoption or foster care;
3. A serious health condition of an employee's spouse, child or parent;
4. A serious health condition such that the employee is unable to perform the essential functions of his/her position.
5. Military Family Leave Entitlements for certain qualifying exigencies;
6. Up to 26 weeks to care for a covered service member during a 12-month period.

Entitlement for childcare ends after the child reaches age one (1) year or twelve (12) months after the date of adoption or foster placement. The child care entitlement applies to step-parents and persons acting in such capacity ("loco parentis") as well as to biological and adoptive parents.

B. Service Member Leave

The spouse, parent or child of a member of the U.S. military service are entitled to FMLA leave due to the contingencies (as defined by the Department of Labor) of the service member being called to active service. In addition, a spouse, child or parent of a service member is entitled to up to 26 weeks of leave to care for a service member injured in the line of duty. In the event the injured service member does not have a spouse, child or parent, an employee who is next of kin (closest blood relative) may take leave under the FMLA to care for the injured service member.

C. Qualified Employee

An employee must meet both of the following criteria to be a "qualified employee" eligible for FML:

1. An employee must have been employed by the Engineer for more than twelve (12) months of active service;
2. An employee must have worked more than 1,250 hours in the previous twelve (12) months.

An employee who receives a salary among the top ten percent (10%) of the Engineer's workforce may be exempted if certain test criteria are met.

D. Coverage Period

Eligible employees will be granted FMLA leave including appropriate accrued paid and unpaid leave for a period of twelve (12) weeks during a twelve (12) month period or up to twenty-six (26) for military care givers during a twelve (12) month period.

Generally, FMLA leave will be implemented for reasons covered under FMLA for all absences in excess of ten (10) working days, reverting back to the day the leave began.

Leave under qualifying events 1 or 2 above (birth, placement or care of a child) shall not be taken by an employee intermittently or on a reduced leave schedule unless the employee and the Engineer agree otherwise.

Leave taken under qualifying events 3 or 4 above (serious health condition of employee or family member) may be taken intermittently or on a reduced leave schedule when medically necessary. If an employee requests intermittent leave or leave on a reduced schedule under qualifying events 3 or 4, and the leave is foreseeable based on planned medical treatment, the Engineer may require such employee to transfer temporarily to an available alternative position offered by the Engineer for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the regular employment position of the employee. Upon return to work from such leave, the employee shall be returned to his former position, or an equivalent position.

E. Benefits

Qualified employees who take FML under this provision are entitled to the continuation of health care benefits during the period of FML not to exceed a total twelve (12) weeks leave per year. The Engineer will continue to pay its share of the health insurance premium for maintaining health insurance coverage for the employee. If the employee fails to return after the expiration of the FML to which the employee is entitled under

this Act for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition that entitles the employee to take leave under the Act, or (2) other circumstances beyond the control of the employee, he/she shall be required to reimburse the County for the cost of the premiums paid on his/her behalf. If an employee claims that he cannot return from leave because of a serious health condition, the Engineer may require that the claim be supported by a timely certification from the health care provider of the parent, child, spouse or of the employee as appropriate, that the employee is unable to return to work because of a serious health condition.

F. Restrictions

Qualified employees accrue seniority during the time of FML, but do not accrue other benefits such as vacation or sick leave (except if the FML is paid). If both parents are employed by the Engineer and qualify for FML, the combined leave for both persons for the birth, adoption, foster placement or family illness shall be limited to twelve (12) weeks. Leave for personal illness or to care for a sick child or spouse shall not be limited to a combined amount of twelve (12) weeks in the case of spouses both being employed by the Engineer. Employees are prohibited from engaging in any outside employment, full or part-time, while on FML.

G. Notifications and Time Frames

1. The qualified employee shall give the Engineer at least thirty (30) days notice of the date FML is to begin when the need for leave is foreseeable such as for the expected birth of a child, or planned medical treatment. However, if the date of the birth of a child or placement of a child or medical treatment requires leave begin in less than thirty (30) days, the employee shall provide as much notice as possible.
2. Employees who have not submitted an application for leave will automatically be sent the proper forms to be filled out and returned to the Employer after ten (10) work days of absence.
3. In instances of a serious health condition of a family member or the employee himself, the employee must make a reasonable effort to schedule the treatment so as to not disrupt unduly the Engineer's operations, subject to the approval of the appropriate health care provider.

H. The qualified employee shall provide the Engineer certified information from the health care provider (licensed doctor of medicine or osteopathy) of the employee, employee's spouse or family member upon requesting utilization of FML under qualifying events 3 or 4 above. Such certification shall include:

1. The date the condition began;
2. The probable duration of the condition;
3. The necessity of the leave to care for a family member for an extended period of time over ten (10) days, the certificate must establish that a serious health condition exists, the projected duration of the condition, and that the family member's condition requires care from the employee;

4. The appropriate medical facts regarding the condition and a certification that the employee cannot perform the functions of his/her position.
- I. Additional certification shall be required in the event the employee takes an intermittent leave or reduced schedule leave. Upon return to work, the qualified employee shall provide the Engineer information from the health care provider of the employee of his/her ability to resume work. If state or local law requires that a public health official examine an employee as a condition for returning to work, the employee must fulfill this obligation.

The Engineer may, at its expense, request a second or third opinion from a health care provider if the employer has reason to doubt the validity of the certification of the employee's health care provider.

J. Coordination of Benefits and Leaves

Family and medical leaves of absence shall be coextensive with (and not independent of) other types of leaves as appropriate. For example, an employee could be on a FMLA and a disability leave, personal leave, or sick leave. Where another type of leave (sick leave, personal leave, disability leave) offered by the Engineer does not provide at least the minimum benefits and protections of the FMLA, the FMLA shall prevail if its conditions and eligibility requirements have been met.

Employees shall be required to substitute all of their accrued vacation, sick leave, or any other accrued paid leave for all or part of the FML. Employees must apply for and utilize any accrued paid leave prior to being eligible for unpaid FML. A total of twelve (12) weeks of paid and unpaid leave is allowed during any twelve (12) month period.

In the case of an absence due to a claim under Workers' Compensation, the employee has a choice whether to use paid sick time or be compensated by the Bureau of Workers' Compensation (BWC) but not both. Under such absences, FMLA leave begins either after all paid time is used, if requested, or at the start of leave if compensation is received from the BWC or Counties self funded program.

K. Record Keeping

The Engineer shall make and preserve records pertaining to compliance with the FMLA in accordance with the Fair Labor Standards Act (29 USCS 211(0)) and with regulations issued by the Secretary of Labor. This includes the preservation of employee records, information, and data for at least three (3) years from the date of the last entry.

L. Definitions

"Equivalent position" for purposes of this policy does not mean merely comparable or similar duties but rather requires a correspondence to the duties and all other terms, conditions, and privileges of the employee's previous position.

A "serious health condition" for purposes of this policy shall be defined as an illness, injury, impairment, physical, or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider. It does not cover short-term conditions such as minor illnesses that last only a few days and surgical procedures that typically do not involve hospitalization and require only a brief recovery period. Examples of serious health conditions include, but are not limited to, heart conditions requiring heart bypass or valve operations; back

conditions requiring extensive therapy or surgical procedures; on-going pregnancy, miscarriages, complications or illnesses related to pregnancy, such as severe morning sickness, the need for prenatal care, childbirth and recovery; severe respiratory conditions; appendicitis; emphysema; severe nervous disorders; conditions which require periodic chemotherapy, radiation treatments or physical therapy.

"Health care provider" means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery, or any other person determined by the Secretary of Labor to be capable of providing health care services.

SECTION: 4:16
SUBJECT: COMPENSATORY TIME

- A. It is recognized that there are occasions where a substantial amount of work must be performed outside of the ordinary work day. Compensatory time has a great potential for abuse, and care must be taken by each employee not to abuse such use. Compensatory time is provided as a temporary benefit that may be modified or cancelled, without notice, at the sole discretion of the Engineer.

The term "compensatory time," as used in this policy, is a tool for calculating the accumulation and use of time off while employed by the Engineer.

- B. This compensatory time policy shall apply to full-time hourly and salary employees. The Engineer shall permit the accumulation of compensatory time as follows:

1. Hourly (Overtime Eligible) Employees

Any overtime eligible employee shall, at his election, be able to accrue compensatory time at one and one-half (1 1/2) the number of regular overtime hours worked in lieu of cash payment, up to a maximum of forty (40) hours. The use and accumulation of compensatory time shall be subject to the approval of the Engineer or his designee. The use of compensatory time shall not be granted in instances where it would create an undue burden to the Employer or would create an overtime situation. Upon retirement or termination of employment, all accumulated and unused compensatory time shall be paid to the hourly employee at the current straight time rate.

2. Salary (Overtime Exempt) Employees

Salaried employees are required to work forty (40) hours per week as determined by the Engineer. Any salaried employee who works over forty (40) hours in a workweek or has to attend required public meetings in any municipality or township outside of their normal workday may be eligible to receive compensatory time at his/her straight time (hour for hour) rate as approved by the Engineer or his designee. Such salaried employees will be eligible to request and be approved up to sixty (60) hours on an hour for hour basis. Employees who are required to attend municipal or township public meetings outside of the normal work hours will be granted a flat two (2) hours of compensatory time. The use of such compensatory time shall be subject to the pre-approval of the Engineer or his designee. Employees have no choice to accept pay in lieu of using accrued compensatory time. Such compensatory time must be used before the employee is separated from service, and upon retirement, separation, or

termination of employment, all accumulated or unused compensatory time of the salaried employee shall be forfeited.

3. Compensatory Time

- a. Compensatory time may be accumulated to a maximum of forty (40) hours for hourly employees and sixty (60) hours for salaried employees. All overtime worked past these maximums shall not be counted in the total compensatory time at the time it is accrued.
- b. Compensatory time may be earned by working at any location approved by the Engineer or the employee's immediate supervisor.
- c. For every hour of time spent working beyond forty (40) hours a week, an employee shall earn compensatory time, which may be used as paid time off from work. This time off shall be requested in writing on a form provided by the Engineer at least twenty-four (24) hours prior to use. Such requests shall be approved in writing by the Engineer or the employee's supervisor before being submitted to the Administrator for recordkeeping.
- d. Prior to requesting compensatory time off, the employee shall ensure that all of the employee's work responsibilities are fully covered by another employee approved by the employee's supervisor. Failure to do so may result in disciplinary action.
- e. The Engineer or the employee's supervisor shall have the authority and power to review compensatory time sheets and modify them if they determine that the hours submitted are improper. This modification shall only occur after the Engineer or employee's supervisor has notified the employee and given the employee the opportunity to respond.

The Employer reserves the right to issue additional standard operating or working procedures governing the use and approval of compensatory time off.

SECTION: 4:17
SUBJECT: CELL PHONE POLICY

A. County Owned Equipment

1. County-issued cellular phones are intended for official County business use only. County-provided cellular phones may not be used for personal uses, except in clearly urgent situations (such as family emergencies if these calls cannot be made from a land line in a reasonable period of time or when unexpectedly required to work past the normal end of the employee's scheduled work period), when no other telephone is available and the call is related to the conduct of official County business.
2. County-owned cellular phones and related equipment shall be issued only to those employees with a demonstrated need for these types of communication devices. Employees who turn in an "office" cellular phone at the end of working

hours are not considered issued employees. Employees who use a County-issued cellular phone agree to the following rules of use:

- a. Employees issued a cellular phone are required to review the monthly bill for any personal calls. They are required to highlight personal calls. In accordance with the Lake County Auditor's procedure, the employee will be charged as a taxable fringe benefit for personal calls and a pro rata share of the monthly service charges, regardless whether it was free-pooled minutes or not. The value of the County-related business use portion of the phone is not taxable to the employee.
- b. Employees must safeguard any County-issued cellular phone and/or equipment in their possession. Employees may be held liable for the replacement cost of any cellular phone and/or related equipment lost or damaged while in their possession.
- c. The loss or damage to any cellular phone and/or related equipment shall be immediately reported to the employee's supervisor. If theft is suspected, law enforcement personnel should also be notified.
- d. Cellular phone calls made on County equipment should only be made when necessary and then kept as short as possible to maximize the allotted minutes and prevent unnecessary costs. Phone features such as the two-way radio are to be used whenever possible.
- e. When an employee no longer has a demonstrated need for a County-issued cellular phone, or when the employee terminates employment, that employee shall return all cellular phones and related equipment.
- f. Employees are advised to obtain and carry their own cellular phone for personal uses at their own expense.

B. County Issued and Personal Cell Phone Use

1. The use of a County-owned or personal cellular phone while at work may present a hazard or distraction to the user and/or co-employee. Supervisors will have the authority to restrict or prohibit use of cellular phones at any time on the job when they consider such situations and use may present a safety hazard to the employee, co-worker, and/or to the general public and private property. The following rules are meant to ensure that cell phone usage while at work is both safe and does not disrupt work operations:
 - a. No employee will use an electronic device, whether personal or County issued, while driving a County-owned vehicle.
 - b. Definitions
 1. For the purpose of this section only, driving means operating a motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays.

2. Electronic device includes, but is not limited to, a cellular telephone; personal digital assistant; pager; computer; or other device used to input, write, send, receive, or read text.
- c. Exceptions
 1. Use of an electronic device is permitted only in situations where the driver has stopped the vehicle on the side of the road and can safely remain stationary.
 2. Emergency use. Use of an electronic device while driving is permissible when necessary to communicate with law enforcement officials or other emergency services.
- d. Work Sites: Use of an electronic device is prohibited when the operation of the device would be a distraction to the user and/or may create an unsafe work environment. Such work sites include but are not limited to: road repair, maintenance and construction, operating or repairing equipment.
- e. Off-Road Equipment: Use of an electronic device is prohibited while operating any type of moving motorized off-road (maintenance/construction type) equipment. Even hands-free cellular phones will not be authorized while operating this type of equipment, unless the equipment has been properly stopped and taken out of gear or turned off.
2. Repeated non-compliance with this policy and/or failure to remain within allotted minutes and costs (County-issued phones) shall constitute just cause for progressive disciplinary action up to and including discharge as well as loss of County-issued cellular phone and equipment privileges.

SECTION: 4:18
SUBJECT: CONCEALED WEAPONS

Employees and officials of Lake County, other than law enforcement officers or other persons specifically authorized to carry a firearm, are prohibited from carrying firearms into any county building, in any county vehicle, or at any time while they are acting within the course and scope of their employment.

Employees and officials of Lake County, other than law enforcement officers, or other persons specifically authorized to carry a firearm, are prohibited from bringing a handgun onto a county-owned parking lot, even if it is kept in their own vehicle, except for employees with a valid license to carry a concealed handgun.

A county employee or official with a valid license to carry a concealed handgun may bring a handgun onto a county-owned parking lot, but must leave the handgun in their own locked vehicle, either in the glove compartment (or other locked compartment), in the trunk, or locked inside a gun case when they report to work. An employee or official with a valid license to carry a concealed handgun who is reporting for work may remove the handgun from their own

vehicle parked on county property only for the purpose of transporting it to and from the trunk of that vehicle for storage.

Any county employee or official who violates this policy is acting outside of the course and scope of their employment duties. Lake County will not defend or indemnify such actions by any county official or employee. Any county employee found to be in violation of this policy will be subject to disciplinary action up to and including discharge.

County employees who use a firearm or make comments about firearms in such a way that intimidates, harasses, coerces, or threatens another county employee will be subject to disciplinary action, up to and including discharge.

SECTION: 4:19
SUBJECT: WORKPLACE VIOLENCE

- A. The safety and security of employees, clients, residents, and the general public are of vital importance to the Engineer. Therefore, threats, threatening behavior, or acts of violence made by an employee or anyone else against another person's life, health, well-being, family, or property will not be tolerated. Employees found guilty of violence will be subject to disciplinary action up to and including termination of employment.
- B. The Engineer prohibits the following:
 - 1. Any act or threat of violence by an employee against another person's life, health, well-being, or property;
 - 2. Any act or threat of violence which could result in damage to Lake County Engineer's equipment or property;
 - 3. Any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion;
 - 4. Any act or threat of violence which endangers the safety of employees, clients, residents, or the general public;
 - 5. Any act or threat of violence made directly or indirectly by words, gestures, or symbols; or
 - 6. Use or possession of a weapon on the Employer's premises or on an Engineer's Department-controlled site, or an area that is associated with Department employment except as required in the line of duty (i.e., law enforcement). A weapon is defined as a loaded or unloaded firearm or a device, electronic stun device, chemical substance, or other material that could be used, ordinarily would be used, or is intended to be used to cause serious bodily injury.
- C. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on the Engineer's Department property shall be removed from the premises as quickly as safety permits and shall remain off the premises pending the outcome of an investigation. The Engineer/designee will initiate an appropriate response. This response may include, but is not limited to, suspension, and/or termination of any business relationship, reassignment of job duties, suspension, or termination of employment, and/or criminal prosecution of the person(s) involved.

- D. Employees shall immediately report to their supervisor any behavior that compromises the Engineer's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job-related or might be carried out on an Engineer's Department-controlled site, or is connected with employment by the Engineer Department.
- E. All employees who apply for, obtain, or are the subject of a restraining order which lists Engineer's Department locations as being protected areas, must provide to the Engineer/designee a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

SECTION: 4:20

SUBJECT: COUNTY EQUIPMENT, TOOLS, AND SUPPLIES

When equipment, tools and supplies needed to perform job duties are provided by the Employer, it is the responsibility of supervisors and employees to see that they are properly used and maintained.

- A. Equipment, tools, and supplies include, but are not limited to:
 - 1. Vehicles;
 - 2. Tools and safety equipment;
 - 3. Computers, printers, copiers, facsimile machines, software, and any other office equipment;
 - 4. Telephones, cellular phones, or any other communication equipment;
 - 5. Cameras and video recording equipment.
 - 6. Facilities, buildings, and land.
- B. Limitations on Use
 - 1. Employees are prohibited from using County-owned/leased equipment, tools, and supplies for personal use. Employees are expressly prohibited from using County property to conduct business from which they may realize a personal economic benefit or to promote or support any political activity. The provisions of this policy also extend to family members and associates of employees.
 - 2. Violation of this policy will minimally result in cost reimbursement to the County and may subject the employee to disciplinary action.

C. General Expectations

1. Each employee is responsible for the safekeeping of all County equipment, tools, and supplies assigned to him/her and must return all items upon termination of employment.
2. Each employee is responsible for the proper use and maintenance of equipment, tools, and other resources provided to them for their use in performing their job.
3. Misuse, neglect, theft, abuse and/or destruction of equipment, tools, and supplies is prohibited. Accidents involving misuse or abuse will be cause for disciplinary action.
4. If an employee loses or damages equipment, tools, and/or supplies, he or she may be required to pay for those items lost or damaged, at the discretion of the County Engineer.
5. Each employee is responsible for reporting malfunctioning, damaged, or defective equipment, tools, or supplies to his/her supervisor.
6. Equipment (other than personally assigned such as vehicles and cell phones), tools, and supplies removed from the County Engineer's premises or work sites outside of scheduled work hours must be recorded by the employee's supervisor noting when it was removed, by whom, for what reason, and when it will be returned.
7. The Engineer may conduct searches of any portion of County-owned property including but not limited to: desks, file cabinets, offices, lockers, motor vehicles, and computer systems. Employees shall not have an expectation of privacy in relation to their use of County property.

SECTION: 4:21

SUBJECT: INCLEMENT WEATHER

The Engineer recognizes that severe/inclement weather conditions could result in a delayed opening or closing of the facilities. In the event of such conditions, all maintenance personnel and individuals designated as essential (i.e., snow removal, repairs, service, and communications personnel) are required to report to work as regularly scheduled. Whenever the County Engineer and/or Chief Deputy Engineer declare a closing of the Administrative Office due to inclement weather, the following rules apply:

- A. Delayed Opening – In the event of a delayed opening, all employees shall report for work at the announced opening time.
- B. Whole Day Closing – If the office is to be closed for the entire day, all employees who were scheduled to work shall be paid their regular straight time rate for the regular hours they were scheduled to work. Employees not scheduled to work on an inclement weather day due to vacation, sick leave, compensatory time, etc., shall be charged for the leave as though no inclement weather day was declared.

- C. Partial (Early) Day Closing – If the office is closed after the start of a regular work day, the Engineer, Chief Deputy Engineer, or their designee shall have the discretion to designate “essential staff,” who shall be required to remain at work as though no inclement weather day was declared. All employees not designated as “essential staff” who report for work and are present when the office closing is announced shall be paid their regular straight time rate for the remainder of their normal work day as though they were at work. Essential staff limited to administrative personnel who are FLSA-exempt shall remain at work. These employees shall receive compensatory time on an hour-for hour basis.
- D. Severe Weather Absence – When an employee is tardy or unable to report to work due to severe weather conditions on days that are NOT declared inclement, the employee must contact his immediate supervisor no later than one (1) hour after the start of the work day. The supervisor may authorize the use of available personal, vacation, or compensatory time upon the employee’s request. Sick leave cannot be used for severe/inclement weather absences. An employee who fails to contact his supervisor will be charged with an unexcused absence for the time absent from work unless circumstances beyond the employee’s control prevent such timely contact.
- E. Notification Process
 - 1. Closing During Normal Work Day – Notification from employee’s immediate supervisor.
 - 2. Closing Prior to Normal Work Day – Phone notification from employee’s immediate supervisor.

The Engineer or Chief Deputy Engineer will notify the Administrator who will notify each supervisor. Each supervisor will notify all employees that report to them. Notification will also be available by calling into the main office.

SECTION: 4:22
SUBJECT: PUBLIC RECORDS

This office, in accordance with the Ohio Revised Code, defines records as including the following: any document – paper, electronic (including but not limited to email), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Lake County Engineer’s Department are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

It is the policy of the Lake County Engineer’s Department that, as required by Ohio law, records will be organized and maintained so that they are available for inspection and copying.

A copy of the complete Public Records Policy and Schedule of Records Retention and Disposition for the Lake County Engineer's Department is on display at the Administration office.

SECTION 4:23

SUBJECT: VACATION AND SICK LEAVE FOR AN EMPLOYEE WHO BECOMES AN ELECTED OFFICIAL

In the event an employee of the Lake County Engineer's Office is elected to the position of the Lake County Engineer, the following procedure of the Lake County Board of Commissioners will be adopted:

A. Vacation

Per the Ohio Revised Code, whenever an employee separates from their employment, that employee is entitled to compensation at the employee's current rate of pay for the prorated portion of any earned but unused vacation leave for the current year.

The employee shall also receive compensation for any unused vacation leave accrued for three years immediately preceding the last anniversary date of employment. An employee who becomes an elected official is considered to have separated from their employment and shall be paid out for their accrued but unused vacation time accordingly.

B. Sick Leave

For purposes of sick leave, the employee will have three options:

1. The employee can have his accumulated but unused sick leave stored and re-credited to him upon reemployment with public service, as long as that reemployment takes place within ten years of the date the separation from employment occurred. The ten year period of time will be tolled for any period during which the employee holds elective public office.
2. If the employee retires from their current position and has at least ten years of service with the state or the political subdivision, then the employee is entitled to receive payment at their rate of pay at the time of retirement for one-fourth the value of the employee's accrued but unused sick leave up to a maximum of thirty days.
3. The employee can choose to receive a payout for any accrued but unused sick leave in accordance with Section 4:14 of this Policy Manual.

**LAKE COUNTY ENGINEER'S OFFICE
HARASSMENT COMPLAINT FORM**

If Claiming Harassment, Please Provide The Following Information:

- A. The Name of the Subject of the Complaint: _____
- B. Is The Above-Named Person a Lake County Engineer's Office Employee? ☐ Yes ☐ No
- C. Describe the Acts Complained of (Use Reverse Side or Attach Additional Pages If Necessary) _____

- D. List the Date(s) of the Alleged Act(s): _____

- E. List Any Known or Suspected Witnesses To The Alleged Act(s): _____

- F. What Remedy Or Resolution Do You Request? _____

**LAKE COUNTY ENGINEER'S OFFICE
HARASSMENT COMPLAINT FORM (CONTINUED)**

Any Employee Who Believes That He Or She Has Been The Subject Of Or Witness To Harassment Should Immediately Submit This Report To His Or Her Immediate Supervisor.

If The Immediate Supervisor Is The Subject Of The Complaint, The Employee Should Submit This Report To The Next Level Of Management (This May Be The Appointing Authority). If The Appointing Authority Is The Subject Of The Complaint, The Employee Should Submit This Report To The Lake County Prosecutor's Office.

Signature of Complainant

Date

Administrative Use Only

Signature of Recipient

Date

**LAKE COUNTY ENGINEER'S OFFICE
RECEIPT AND ACKNOWLEDGMENT OF PERSONNEL POLICY MANUAL**

This Personnel Policy Manual published [date] supersedes all previous manuals.

By signing this statement, I acknowledge that I have received a copy of the manual issued by my employer, the Lake County Engineer.

I acknowledge that my employment is governed by such policies and procedures and that it is my responsibility to familiarize myself with the information contained in this manual and to consult with my supervisor or the Administrator if I have any questions concerning its contents.

I understand the Personnel Policy Manual is not an employment contract and the Engineer may modify any or all of these policies and procedures, in whole or part, at any time throughout my employment with the Lake County Engineer's Office.

Further, I acknowledge that this signed document will become a part of my personnel file.

Employee Name (Print)

Signature

Date

EMPLOYEE REQUEST FOR TRANSFER

I, _____ do hereby request a transfer from
_____ (position/department) to the
_____ (position/department).

Reason(s) for transfer request: _____

Qualifications: _____

Present Job Title: _____

Signature: _____ Date: _____

FRONT OFFICE USE ONLY

Date request received: _____

Comments: _____

Action taken: _____

Administrator Date

☐ Approved ☐ Not Approved

County Engineer/Chief Deputy Date

Transfer date: _____